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Report of the Preparatory Commission for the International Criminal Court (continued)

Addendum

Part I
Draft budget for the first financial period of the Court

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Introduction

1. At its eighth session, the Preparatory Commission for the International Criminal Court requested the Secretariat to prepare a revised draft budget for the first financial year of the Court, taking into account the priority guidelines proposed by the Coordinator (PCNICC/2001/L.3/Rev.1/Add.1, appendix) for consideration by the Commission at its ninth session. The present document is submitted pursuant to that request. In accordance with regulation 2 of the draft Financial Regulations (PCNICC/2001/1/Add.2 and Corr.1), the financial period shall consist initially of one calendar year unless otherwise decided by the Assembly of States Parties for the first-year budget of the Court. It is proposed that the first financial period should last from the first meeting of the Assembly of States Parties to the end of the subsequent calendar year. Based on the last preambular paragraph of General Assembly resolution 56/85 of 12 December 2001 and the decision of the Preparatory Commission at its 41st plenary meeting on 8 July 2002, that the first meeting of the Assembly be held at United Nations Headquarters in New York from 3 to 10 September 2002, the first financial period would thus stretch from September 2002 to the end of December 2003, namely 16 months. The proposed estimates of the requirements for the first financial period of the International Criminal Court (ICC or "the Court") relate to the costs of operation of the ICC and the costs related to the meetings of the Assembly of States Parties, the meetings of the Bureau of the Assembly, the Committee on Budget and Finance, two plenary sessions of the Court subsequent to the Inaugural Meeting, a meeting of the Board of Directors of the Victims Trust Fund, as well as the costs related to the Inaugural Meeting.

2. The magnitude of the resource requirements of the Court in the first financial period of its operation would depend upon the level and scope of activities of the Court, bearing in mind the need to provide a stronger capacity for the Court and the Assembly of States Parties to respond to various challenges. The proposed resource requirements are responsive to the necessity to create, among other things, the ability for the Court — financially, administratively and procedurally — to recruit the required staff at short notice.

3. The proposed structure of the organs of the Court, together with the corresponding administrative arrangements, is discussed in Part One of the present document. This takes into account the composition and experience of the most relevant existing international judicial institutions, such as the International Court of Justice (ICJ), the International Tribunal for the Former Yugoslavia (ICTY), the International Tribunal for Rwanda (ICTR) and the International Tribunal for the Law of the Sea (ITLOS). It is anticipated that the overall staffing resource requirements of the Court might consist of 202 posts in 2003 and 61 posts in the period from September to December 2002 (see Part Two, tables 3 and 4). Organizational charts containing details of the proposed staffing structure in 2003 are shown in annexes I.A, B, C and D to the present document. It is emphasized that these charts are purely illustrative and should be interpreted neither as a target for expenditure nor as an agreed blueprint for the future structure of the organs of the Court.

4. The cost estimates are outlined in Part Two. They were calculated on the basis of a number of assumptions, the proposed structure and administrative arrangements for the Court, and experience with similar institutions, such as ICTY. In accordance with regulation 3.2 of the draft Financial Regulations, which, inter alia, provides

that the proposed programme budget shall be presented in the currency of the statutory headquarters of the Court, the present draft budget has been set out in euros. The United Nations operational rate of exchange as of June 2002 (US$ 1.00 = €1.11, or €1 = $0.900901) was used.

5. Since the first financial period would cover 16 months and it may be particularly difficult to accurately foresee the Court's needs during this initial period, reference is made to regulations 4.2 and 4.3 concerning the appropriation line as well as regulation 3.6 relating to the supplementary budget, of the draft Financial Regulations. Should circumstances unforeseen at the time of adoption of the budget make it necessary, the appropriation line adopted by the States Parties may be utilized or supplementary budget proposals may be submitted by the Registrar with respect to the first financial period. Accordingly, a reserve for unforeseen expenses has been included in the present draft budget.

6. The first and the resumed/special meetings of the Assembly of States Parties will be held at the Headquarters of the United Nations in New York, whereas the Inaugural Meeting of the Court will take place at The Hague. A meeting of the Board of Directors of the Victims Trust Fund will also be held at The Hague. The second meeting of the Assembly of States Parties, the June 2003 meeting of the Bureau and the meeting of the Committee on Budget and Finance in 2003 will take place in New York. During discussions in the Working Group on a Draft Budget for the First Financial Period of the Court, a general preference was expressed for the convening of future meetings at The Hague. At the same time, it was recognized that the initial meetings should be convened at the Headquarters of the United Nations in New York. The dates and duration of the meetings are assumed to be as follows: Assembly of States Parties: six days for the first meeting in September 2002, five days for the resumed/special meeting in January/February 2003, three days for the resumed/special meeting in April 2003 and five days for the second meeting in September 2003; Bureau of the Assembly: one one-day meeting in June 2003; Committee on Budget and Finance: one five-day meeting in August 2003; and Board of Directors of the Victims Trust Fund: one three-day meeting in 2003.

7. It is also foreseen that a one-day plenary session of the Court for the election of the Registrar and a two-week plenary session of the Court for the elaboration and adoption of the Regulations of the Court would be convened in 2003. Accordingly, the costs of those sessions have been included in the present document.

8. The Inaugural Meeting of the Court will be held at The Hague. It is assumed that it would be held in February 2003, shortly after the resumed/special meeting of the Assembly in January/February 2003. In view of the commitment of the Government of the Netherlands to finance the Inaugural Meeting of the Court, only estimates of travel costs and partial daily subsistence allowance in respect of the judges and the Prosecutor have been included.

9. At the ninth session of the Preparatory Commission, the representative of the host Government reiterated the latter's commitment to provide premises for the Court, free of rent, for a period of 10 years starting at the date of entry into force of the Rome Statute. He also confirmed the host Government's offer to build a courtroom in the interim premises, within the overall amount of €10 million that it would make available for the interior layout and design.[1] It is necessary that the

[1] See PCNICC/2002/INF/5, paras. 7 and 8.

appropriate arrangements on the matter be made between the representatives of the Court and the Government of the Netherlands, at the very early stage of the start-up phase, in order to ensure that facilities are in place whenever needed for the proper functioning of the Court.

10. In accordance with the task list contained in Part B of the annex to the Proceedings of the Preparatory Commission at its ninth session (PCNICC/2002/L.1/Rev.1/Add.1), various contacts were held between representatives of the Permanent Mission of the Netherlands to the United Nations and the Secretariat, including two formal meetings on 3 and 16 May 2002, respectively. During those contacts, the Secretariat was informed in detail of the contributions from the host country to the Court. Information and data received from the host country are reflected in the present document.

11. Post requirements are presented in net terms, given that a decision has been taken by the Preparatory Commission against the adoption of a system of staff assessment and tax equalization. Furthermore, the requirements were computed on the basis of the post structure, salaries, allowances and entitlements applicable to the United Nations common system. Should the States Parties adopt different standards, adjustments will have to be made to the budget.

12. The estimates provided in the present draft budget are based on cost parameters for the years 2002 and 2003. The total requirements for the first financial period on the basis of estimates of meetings in New York would be €30,893,500. Since the host Government has committed itself to contribute a non-reimbursable amount of €300,000 to defray the cost of the meetings,[2] the total costs for holding meetings are presented as net of the €300,000 contribution from the host country. Further details concerning total requirements can be found in paragraphs 120 and 121 as well as tables 1 and 2 in Part Two of the present document.

13. Pursuant to regulation 6.2 of the draft Financial Regulations, an amount of €1,915,700 (based on the practice of the United Nations, at one twelfth the cost of the operations of the Court) is provided for the establishment of a Working Capital Fund to ensure capital to meet short-term liquidity requirements pending the receipt of assessed contributions. Advances shall be made in accordance with the agreed scale of assessment pursuant to regulation 5.2 of the draft Financial Regulations, and shall be carried to the credit of States Parties which have made such advances.

Part One
Proposed structure and administrative arrangements

I. Seat of the Court

14. The seat of the Court is to be established at The Hague in the Netherlands (Statute, art. 3, para. 1). The host State has secured a location for the permanent

[2] Ibid, para. 9.

premises of the Court.[3] Pending the construction of the premises, the Government of the Netherlands has announced that it will make available temporary premises as from the date of establishment of the Court. The premises are an existing building that offers enough room to meet start-up needs as well as expansion of the Court's activities within its walls. Detention facilities will be made available at a different location.

II. Premises requirements

15. During the initial phase of the Court, the temporary premises should accommodate the following needs of the Court:

(a) The Presidency, consisting of the President and the First and Second Vice-Presidents (Statute, art. 38, para. 3), as well as its staff;

(b) Office space for an Appeals Division, a Trial Division and a Pre-Trial Division (Statute, art. 39, para. 1), i.e., an additional 15 judges and their staff;

(c) A courtroom that is available for the Appeals Chamber, the Trial Chambers and the Pre-Trial Chamber;

(d) The Office of the Prosecutor;

(e) The Registry;

(f) A detention facility at a separate location.

16. The experience of the International Tribunal for the Former Yugoslavia has shown that due account should be taken of the need to ensure the separation of the facilities belonging to the Office of the Prosecutor from the rest of the Court.[4] The particular requirements of the Court, however, will have to be taken into account. The temporary premises provided by the Government of the Netherlands would, if so required, allow for the facilities of the Office of the Prosecutor to be separated from the rest of the Court's offices within the premises to be made available.

17. Apart from the premises to accommodate the needs referred to in paragraph 15 above, appropriate premises will be required for the first meeting of the Assembly of States Parties (Statute, art. 112), the Bureau (art. 112, para. 3 (a)), the Inaugural Meeting of the Court, resumed/special meetings of the Assembly (art. 112, para. 6), the second meeting of the Assembly of States Parties and meetings of the Committee on Budget and Finance.

III. Assembly of States Parties

18. According to the Statute, the Assembly can meet either at the seat of the Court or at the Headquarters of the United Nations (art. 112, para. 6). The first meeting of the Assembly, pursuant to General Assembly resolution 56/85, will be held at United

[3] In his statement made at the eighth session of the Preparatory Commission, the Foreign Minister of the Netherlands announced that the permanent seat of the Court's headquarters would comprise some 30,000 square metres of office space, courtrooms, service areas, areas for the public and detention facilities. Construction of the premises is expected to be finished by 2007.

[4] See report of the Expert Group, A/54/634, para. 250.

Nations Headquarters in New York. The Government of the Netherlands indicated during the eighth session of the Preparatory Commission that it felt a special but by no means exclusive responsibility for the effective functioning of the Court. At that session the Government of the Netherlands also expressed its willingness to contribute financially to the initial meetings of the Assembly, on the basis of an agreed budget, once the political parameters have been assessed.[5]

19. The first meeting of the Assembly will be attended by representatives of at least 60 States Parties, who may be accompanied by alternates and advisers (Statute, art. 112, para. 1). The maximum size of the delegations of the States Parties is not regulated by the Statute. In view of the importance of the first meeting, it could be assumed that delegations will be composed of no less than three persons.[6]

20. In addition, States that have signed the Statute or the Final Act may attend the sessions of the Assembly in the capacity of observers (art. 112, para. 1). One hundred thirty-nine States have signed the Statute and 144 States have signed the Final Act. The composition and size of the observer delegations is not regulated by the Statute. However, by paragraph 12 of resolution 56/85, the General Assembly requested the Secretary-General to invite as observers to the meeting of the Assembly of States Parties representatives of intergovernmental organizations and other entities that have received a standing invitation from the General Assembly, representatives of interested regional intergovernmental organizations and other international bodies invited to the Rome Conference or accredited to the Preparatory Commission. By paragraph 13 of resolution 56/85, the Assembly noted that non-governmental organizations invited to the Rome Conference, registered to the Preparatory Commission or having consultative status with the Economic and Social Council whose activities are relevant to the activities of the Court may also participate in the work of the Assembly of States Parties in accordance with agreed rules.

21. The official and working languages of the Assembly are those of the General Assembly of the United Nations (Statute, art. 112, para. 10). According to the Statute, the Assembly shall meet once a year and, when circumstances so require, hold special sessions (art. 112, para. 6).

22. Pursuant to rule 37 of the draft Rules of Procedure of the Assembly of States Parties (PCNICC/2001/1/Add.4), it is envisaged that a secretariat would be responsible for receiving, translating, reproducing, distributing and keeping custody of documents and decisions of the Assembly, the Bureau and any subsidiary bodies that may be established by the Assembly, as well as providing interpretation. Thus, the secretariat will be involved in the substantive servicing of meetings and preparing pre-session, in-session and post-session documentation.

23. With respect to the first meeting of the Assembly of States Parties, the General Assembly, in its resolution 56/85, requested the Secretary-General to undertake the preparations necessary to convene it. Thus, the Secretariat of the United Nations will provide substantive servicing of the first meeting of the Assembly of States Parties. The overall cost requirements based on two meetings per day over a period of six days were estimated at €2,582,200.

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[5] See PCNICC/2001/INF/3, p. 3.

[6] In the General Assembly Hall at United Nations Headquarters, each delegation is entitled to six seats.

24. The Preparatory Commission noted that the estimate for servicing the Assembly of States Parties and its subsidiary bodies were based on the assumption that the United Nations would provide these services and would be reimbursed accordingly. The reimbursement would include a "programme support" (overhead) fee of 13 per cent of the cost. The Preparatory Commission recommends to the Assembly that it direct the Common Services Division to seek alternative sources of conference servicing with the aim of conducting a comparative assessment of those sources.

25. Three additional meetings of the Assembly of States Parties are contemplated in 2003: a resumed/special meeting of five days' duration in January/February, a resumed/special meeting of three days' duration in April and the second meeting of five days' duration in September. The estimated cost of these meetings would be €3,505,700 These estimates do not include the cost of the first meeting of the Assembly of States Parties referred to above.

IV. Bureau of the Assembly

26. According to the Statute, the Bureau of the Assembly shall meet as often as necessary, but at least once a year (art. 112, para. 3 (c)). In 2002, the Bureau is expected to hold its first meeting, also at United Nations Headquarters in New York.

27. The Bureau will be composed of 21 members elected by the Assembly (Statute, art. 112, para. 3 (a)). It is expected that the Bureau will hold a one-day meeting in June 2003, to discuss organizational matters. The Bureau meetings would require relevant premises arrangements and, if held away from the seat of the Court, would also entail travel and related expenses for the judges, the Prosecutor and the Registrar. In accordance with rule 38, in connection with rule 2, of the draft Rules of Procedure of the Assembly of States Parties, Arabic, Chinese, English, French, Russian and Spanish are the official and working languages of the Bureau. The representative character of the Bureau (Statute, para. 3 (b)) as well as its composition need to be taken into account when assessing resources needed.

V. Inaugural Meeting of the Court

28. Once elected, the 18 judges and the Prosecutor are required to make a solemn undertaking (Statute, art. 45). The Inaugural Meeting of the Court is expected to be held early in 2003. The meeting at which this takes place may be used for the election of the Presidency of the Court by the judges, who might also at the same meeting determine the membership of the Divisions and the Chambers. Thus, appropriate premises arrangements should be envisaged for the Inaugural Meeting of the Court.

29. The Inaugural Meeting will be held at The Hague. The Government of the Netherlands has expressed its commitment to fully finance the meeting.[7] That includes hotel costs for the judges and the Prosecutor as well as the follow-up meeting of the judges in The Hague for a period of up to two days.

[7] PCNICC/2002/INF/5, para.10.

30. The Inaugural Meeting will entail round-trip travel arrangements for the 18 judges and the Prosecutor. The cost thereof will be borne by the Court.

VI. Subsequent meetings of the Court in plenary session

31. In accordance with article 43, paragraph 4, of the Rome Statute and rule 12, paragraph 3, of the finalized draft text of the Rules of Procedure and Evidence (PCNICC/2000/1/Add.1), the Court should meet in plenary session for the election of the Registrar. Accordingly, a one-day plenary session is proposed for this purpose, to be held at the temporary premises of the Court in The Hague after the resumed/special meeting of the Assembly of States Parties in April 2003. The meeting would entail travel and related expenses of nine non-full-time judges who would join the other nine judges serving on a full-time basis as soon as they are elected.

32. In accordance with article 52 of the Rome Statute, the judges shall adopt the Regulations of the Court necessary for its routine functioning. It is proposed that time be made available for the consideration and adoption of the Regulations. Accordingly, a two-week session is suggested for this purpose. This would entail travel and related expenses for the nine non-full-time judges. Such time would also be an occasion for the judges to familiarize themselves with other aspects concerning the judicial and administrative functioning of the Court.

VII. Meeting of the Board of Directors of the Victims Trust Fund

33. In accordance with the draft resolution of the Assembly of States Parties on the establishment of the Victims Trust Fund (PCNICC/2002/WGFI-VTF/L.1), a Board of Directors of the Victims Trust Fund, consisting of five members elected on the basis of, among other considerations, equitable geographical distribution, is envisaged to be elected by the Assembly of States Parties. It is proposed that provision be made for a three-day meeting of the Board of Directors at The Hague in 2003. The meeting would entail travel and daily subsistence allowance for the five members of the Board. The overall estimated costs are €26,100.

VIII. Committee on Budget and Finance

34. The establishment by the Assembly of States Parties of a Committee on Budget and Finance, bearing in mind article 112, paragraphs 2 (b) and (d) and 4, of the Statute has been contemplated in the work of the Preparatory Commission.[8] The Committee will be composed of 12 members. It is envisaged that the Committee would meet in August 2003 for a five-day session to deal with a draft budget for the second financial period of the Court.

35. It is estimated that €845,000 will be required for the meeting of the Committee on Budget and Finance.

[8] PCNICC/2001/1, annex I.

IX. Critical needs of the Court during the first financial period

36. The establishment of all necessary Court functions will consume a substantial amount of time and resources. Certain functions will have to be set up by organs of the Court and will therefore have to await the election of the judges, the Prosecutor and the Registrar, respectively. However, certain critical capacities will need to be established immediately in order to satisfy the requirements of the Statute and meet practical needs in the initial phase. These include the capacity to collect, preserve and acknowledge receipt of incoming information and potential evidence. Moreover, they should include an adequate capacity to ensure high-level external relations, communications and public information. Among immediate practical needs are the establishment of operational information and communication networks as well as the setting up of other basic systems necessary for security purposes, a smooth recruitment and procurement process and similar urgent requirements.

37. In addition to satisfying such immediate needs, the budget for the first financial period must provide for sufficient resources for the Court to sequentially build up the necessary capacities. In the following, the above needs will be assessed in relation to each organ of the Court.

38. Some needs are common to more than one organ of the Court. To the extent that the independent role of those organs is not affected, certain basic administrative functions can be carried out by a Common Services Division (see sect. XIV below). In this connection, careful attention is devoted to identifying which specific administrative functions could be carried out by such a division so as to maximize the cost-effectiveness of the Court, without prejudice, in particular, to the independent role of the Office of the Prosecutor.

X. The Presidency

39. The three judges composing the Presidency, i.e. the President and the First and Second Vice-Presidents, shall serve on a full-time basis as soon as they are elected (Statute, art. 35, para. 2) at the Inaugural Meeting. According to the Statute, their salaries, allowances and expenses may be decided upon by the Assembly, and these salaries and allowances cannot be reduced during their term of office (art. 49).

40. The Presidency is entrusted in the Statute (art. 38, para. 3 (a)) with the "proper administration of the Court, with the exception of the Office of the Prosecutor". In the first financial period, the critical functions for the Presidency (besides the judicial functions referred to in the Statute and the finalized draft text of the Rules of Procedure and Evidence) would be: (a) high-level external relations and communications (to include media/outreach functions), in conjunction with the Registrar, and (b) establishing systems for the functioning of the Chambers, including pre-trial, trial and appeals capacity. Such systems are crucial, as the manner in which the first applications under the relevant provisions of the Statute

are handled will both establish procedures for the future and affect the credibility of the Court.[9]

41. For the purposes of the first financial period, the functions described both in points (a) and (b) in the preceding paragraph will be performed largely by the Presidency, with the Registrar, when elected, providing daily direction.

Staffing requirements

42. The role of staff of the Presidency will be to support the President and the two Vice-Presidents in the conduct of external as well as internal relations and communications of the Court. Activities in the first financial period will include: (a) providing advice on and initiating relationships with States and international organizations; (b) drafting speeches, presentations and papers to assist in "putting the ICC on the world map"; (c) internal and external strategic decision-making as to issues of primary concern to the ICC; and (d) planning and implementation of such internal and external strategies. It is to be expected that in the first financial period of operation a large amount of standard-setting decisions — operational, administrative, managerial and legal — will have to be made by the Presidency. Adequate staff levels will be required to create the capacity to do so. In addition, there will have to be adequate capacity to deal with ad hoc situations requiring almost immediate action. The minimum structure which will need to be in place would include: (a) Chef de Cabinet (P-5), providing direct support to the President; (b) one Legal Officer (P-3), providing support to the two Vice-Presidents;[10] and (c) one spokesperson (P-4). It is assumed that the Spokesperson for the Presidency would also act as head of the Public Information and Documentation Section to be set up as part of the Registry.[11] A further three General Service positions should be provided for the Office of the Presidency, one of them at the Principal level, to provide support to the President. The organizational structure of the Presidency is set out in annex I.A to the present document.

XI. Judges other than those comprising the Presidency

43. While according to article 35 of the Statute judges comprising the Presidency shall serve on a full-time basis as soon as they are elected, it is to be decided by the Presidency, on the basis of the workload of the Court and in consultation with its members, to what extent the remaining judges shall be required to serve on a full-time basis. In addition to the Presidency, it will be necessary in the course of the first financial period to have the budgetary capacity to require a sufficient number of judges to serve at the Court. This will notably be for the purpose of conducting pre-trial procedures (three judges or a single judge), as dictated by the relevant rules of

[9] In the light of the experience of ICTY and ICTR, all decisions would most likely be subject to appeal. Accordingly, if a Pre-trial Chamber is functioning, the Appeals Chamber would also need to be ready to function in order to deal with any appeals that would arise. In addition, since under the finalized draft text of the Rules of Procedure and Evidence victims may apply directly to the Chambers, this situation might arise even before a referral from the Prosecutor.

[10] It is envisaged that this Legal Officer could also be assigned, if necessary, to tasks in the Chambers Legal Support Section.

[11] The combining of these two functions may have to be revisited as the workload of the Court increases. See annexes I.A and I.C, respectively.

procedure and evidence, and for dealing with interlocutory appeals.[12] Accordingly, it would be necessary in the budget for the first financial period to provide, on an as-needed basis, for judges beyond the three which are part of the Presidency. It is proposed that six additional judges should be included in the budget.[13]

44. The salaries, allowances and expenses of those judges are to be decided upon by the Assembly of States Parties in accordance with article 49 of the Statute. The conditions of service and the compensation of the ICC judges are set out in annex VI to the present document.

45. For the staff requirements necessary to assist judges other than those comprising the Presidency, attention is drawn to paragraph 79 below.

XII. Office of the Prosecutor

46. The Office of the Prosecutor will act independently as a separate organ of the Court (Statute, art. 42, para. 1).

47. It is assumed that the Prosecutor will be elected at a resumed/special meeting of the Assembly in early 2003.

48. The Prosecutor can be assisted by one or more Deputy Prosecutors (Statute, art. 42, para. 2). The Deputy Prosecutors shall also be elected by the Assembly, but from a list of candidates provided by the Prosecutor. For each position of a Deputy Prosecutor to be filled, the Prosecutor would have to nominate three candidates (art. 42, para. 4). In view of these requirements, it is unlikely that the first Deputy Prosecutor would be elected during the resumed/special meeting of the Assembly in January/February 2003 (unless consensus regarding the suitable candidates is reached prior to the session). Accordingly, the first Deputy Prosecutor could be elected at a resumed/special meeting of the Assembly to be held in April 2003. Presumably the Prosecutor will, when in office, determine when a second Deputy Prosecutor should be elected. For purposes of the present draft budget, it is assumed that, in the first financial period of the Court, the Prosecutor would need only one Deputy Prosecutor to assist him/her on matters such as recruitment, investigation and prosecution policies, structuring of the Office, etc.

49. The Prosecutor and the Deputy Prosecutor shall serve on a full-time basis (Statute, art. 42, para. 2). They will take up their respective duties after having made a solemn undertaking in accordance with article 45 of the Statute. It would be up to the Assembly of States Parties to decide on the terms of office of both the Prosecutor and the Deputy Prosecutor in accordance with article 42, paragraph 4, of the Statute. Consideration may be given in this respect to the desirability of grading their terms of office in such a manner that the experience and the institutional memory of the Office of the Prosecutor will be preserved and the continuity of its work ensured.

50. As to the staffing needs of the Office, the Prosecutor will have the authority to appoint such qualified staff as may be required, including the appointment of

[12] Statute, art. 39 (2) (b) (ii).

[13] The budgetary consequences of this flexible approach can be reflected by the requisite vacancy percentage in the budget document, indicating that it is not expected that all budgeted posts will become an actual expenditure until the last few months of the first financial period.

investigators (Statute, art. 44, para. 1). They will be part of the staff of the Court and subject to staff regulations to be proposed by the Registrar, with the agreement of the Presidency and the Prosecutor, and approved by the Assembly (ibid., para. 3). The Prosecutor would also appoint advisers with legal expertise on specific issues, including, but not limited to, sexual and gender violence and violence against children (art. 42, para. 9). The adviser(s) on issues relating to sexual and gender violence and violence against children would form part of the staff of the Office of the Prosecutor.

51. The possible requirement of an upsurge capacity (for example, in the case of a referral of a situation or if an evidence preservation situation arises under article 18, paragraph 6, or article 19, paragraph 8, of the Statute) can be met through the equivalent of general temporary assistance funds during the first financial period. Such upsurge capacity would be essential for the Prosecution Section, the Investigation Section, the Information and Evidence Section, and to the translation and interpretation function of the Office of the Prosecutor. Efficient procedures for the utilization of general temporary assistance funds would contribute to avoiding under- or over-utilization of such temporary staff in the event that upsurge capacity is required.

52. The Prosecutor shall have full authority over the management and administration of the Office, including the staff, the facilities and other resources thereof (Statute, art. 42, para. 2). The establishment of a Common Services Division (see sect. XIV below) would be in full accord with this requirement.

53. In exceptional circumstances, the Prosecutor may employ gratis personnel offered by States Parties, intergovernmental organizations or non-governmental organizations (Statute, art. 44, para. 4). Gratis personnel shall be employed in accordance with guidelines to be established by the Assembly (ibid.).

Staffing requirements

54. While it is difficult to predict whether there will be any referral of a situation to the Court during the first financial period, it is to be expected that the Office of the Prosecutor will receive many communications from the time of the establishment of the Court pursuant to the Prosecutor's *proprio motu* power of preliminary examination under article 15 of the Statute. The requirements of this mode of operation should not be underestimated. The Office of the Prosecutor must exercise due diligence within the parameters of article 15 and avoid being seen as inoperative in the face of complaints. It is important that the Office of the Prosecutor sets the highest standards in its dealings with sources of information relevant to article 15, paragraph 2, as well as with the Pre-Trial Chamber. The Prosecutor will have to take action according to articles 53 to 58 of the Statute as well as Part 9 thereof, and it cannot be excluded that the Office of the Prosecutor, through article 15, paragraph 3, may find itself in an article 18, paragraph 6, or article 19, paragraph 8, situation during the first financial period, requiring investigative steps to preserve evidence. The Prosecutor shall be responsible for the retention, storage and security of information and physical evidence in the course of the investigations (finalized draft text of the Rules of Procedure and Evidence, rule 10). Information which the Prosecutor may receive during the first financial period pursuant to article 15, paragraph 2, article 18, paragraph 6, and article 19, paragraph

8, is potential evidence and must be handled appropriately so as to avoid contamination. In general, the credibility of the Court will be built on the quality of its work from the outset of its existence.

55. **Immediate Office of the Prosecutor**. This Office would include the Prosecutor, at the Under-Secretary-General level,[14] one Deputy Prosecutor, at the Assistant Secretary-General level, one Special Assistant to the Prosecutor at the P-5 level, one Special Assistant to the Deputy Prosecutor at the P-4 level, and one Spokesperson for the Office of the Prosecutor (P-4). The Office would be supported by a pool of three General Service staff with one Administrative Assistant at the Principal level assigned to the Prosecutor.

56. In order to help the Prosecutor recruit the relevant staff and exercise the statutory authority to manage and administer his or her Office, an Administrative Unit directly attached to the Immediate Office of the Prosecutor would be needed. The Unit would include one Budget Officer (P-4), one Personnel Officer (P-3), one Programmer/Analyst (P-3), one Language Coordinator (P-3),[15] and two Administrative Assistants (General Service (Other level)).

57. Accordingly, the overall staffing requirement of the Immediate Office of the Prosecutor would consist of the Prosecutor, one Deputy Prosecutor, at the Assistant Secretary-General level, one P-5, three P-4, three P-3, one General Service (Principal level) and four General Service (Other level) staff.

58. The functional needs of the Office of the Prosecutor suggest that it would need a Prosecution Division, an Investigation Division and a separate Appeals Section from the first financial period onward.

Prosecution Division

59. The **Prosecution Division** would be responsible for functions such as litigation; legal review of information and potential evidence; drafting of charges; directing investigators; advising senior management on investigation and prosecution strategies; drafting general guidelines and policies for the Office of the Prosecutor; drafting legal submissions; providing expert legal advice; and conducting legal research and training. To do this most effectively, the budget for the first financial period should provide for a Prosecution Section, a Legal Advisory and Policy Section and an Appeals Section within the Prosecution Division. The

[14] This level of the Prosecutor is shown for illustration purposes and without prejudice to the future discussion thereon.

[15] Document translation has proved to be one of the most persistent and serious problems in the experience of the ad hoc Tribunals. The ICC Office of the Prosecutor must have its own document translation capacity. The open nature of the Court's territorial jurisdiction necessarily means that this function will have to draw on general temporary assistance staff at the working level. However, there needs to be a permanent language coordination capacity within the Office of the Prosecutor through which needs are assessed, requests channelled, and advice is formulated for the Prosecutor on relevant internal language policies. It is not feasible to predict beforehand what the exact upsurge need for translators and interpreters would be in the event of a referral of a situation or if an evidence preservation situation were to arise under article 18, paragraph 6, or article 19, paragraph 8, during the first financial period. It is essential that the procedures for utilization of general temporary assistance funds for upsurge staff be efficient and sufficiently flexible to allow for the establishment of a translation and interpretation unit in the Office of the Prosecutor within reasonable time.

Prosecution Division should be headed by a Director of Prosecutions at the D-2 level, supported by an Administrative Assistant (General Service (Other level)).

60. The **Prosecution Section** within the Prosecution Division would review information and evidence; direct investigators; litigate; and draft charges and legal submissions on questions of procedure and evidence. The Section would also advise senior management of the Office of the Prosecutor on investigation and prosecution strategies, alongside other sections, and contribute to the drafting of general guidelines and policies of the Office of the Prosecutor. The Section would require five prosecutors, one at the P-5 level (Chief of Section), two at the P-4 level and two at the P-3 level. This team would be supported by a pool of two Secretaries (General Service (Other level)). The Section would probably require additional general temporary assistance staff if a situation were to be referred to the Court during the first financial period.[16]

61. The **Legal Advisory and Policy Section** would be required to provide independent specialist legal advice and legal drafting, in particular on questions pertaining to jurisdiction, including the scope of the subject-matter jurisdiction. The Section would also have to assist with the drafting of guidelines and policies relevant to the operation of the Office of the Prosecutor,[17] as well as with the training of members of the Office of the Prosecutor, general temporary assistance staff and gratis personnel.[18] Staff of the Section would include one Senior Legal Adviser (P-5), two Legal Advisers (P-4) and three Legal Advisers (P-3), including legal advisers, as appropriate, with specific expertise on issues of sexual and gender violence and violence against children. Administrative support to the Legal Advisory and Policy Section could be provided by one Secretary (General Service (Other level)).

62. The **Appeals Section**, which should be within the Prosecution Division, and would work with the Prosecution Section and Legal Advisory and Policy Section in

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[16] It would be preferable to pool the prosecutors in one section within the Prosecution Division during the first financial period, so as to better enable the Director of Prosecutions to respond in a flexible manner to the needs for prosecutors whether in connection with preliminary examination, investigation or litigation. The time-consuming nature of the investigation of international crimes means that the prosecution's litigation function during the first financial period would, even in the event that there is a referral of a situation, be limited to certain pre-trial questions, in particular admissibility proceedings, where the Prosecution Section should work closely with the Legal Advisory and Policy Section and the Appeals Section. If there is no referral of a situation, the litigation function would be more limited, with an emphasis on article 15, paragraph 3 and subsequent admissibility proceedings, in both of which the Prosecution Section should be assisted by the Legal Advisory and Policy Section and the Appeals Section.

[17] Some of the subjects that will require guidelines are: criteria for full investigation; requesting assistance; interviewing witnesses; interviewing suspects and accused; use of policy and expert witnesses; written statements; search and seizure; field missions; format-of-the-charges document; formal internal review of charges; disclosure; contact with the media; file management; network access; and appeal procedure.

[18] The experience of the ad hoc Tribunals underlines the importance of these functions and that there must be appropriate expertise to execute them from the outset of the work of the Office of the Prosecutor, when precedents on jurisdiction will be set and internal standards will be established for the Prosecutor's action under, inter alia, articles 15, paragraphs 1-3, 17 to 19, 53 and 54. The Legal Advisory and Policy Section should also be responsible for the establishment and maintenance of an electronic legal decisions and submissions database from the start, as well as other electronic services relevant to the elements of applicable offences and key procedural and evidentiary rules.

handling interlocutory appeals (and later appeals proper) before the Appeals Chamber of the Court. The Appeals Section should have one P-5 level post of Senior Appeals Counsel and one Appeals Counsel at the P-4 level. The Section would be supported by one General Service (Other level) staff member.

63. Accordingly, the overall staffing resource requirement of the Prosecution Division and the Appeals Section would consist of one D-2, three P-5, five P-4, five P-3 and five General Service (Other level) posts.

Investigation Division

64. The **Investigation Division** would be responsible for functions such as reception and management of information and potential evidence; preliminary examination; investigative steps to preserve evidence; investigation, including analysis of contextual and systemic facts; and advising senior management on investigation strategy based on, inter alia, assessments of overall victimization. To do this most effectively, the budget for the first financial period should provide for three sections: an Information and Evidence Section, an Investigation Section and an Analysis Section. The Investigation Division would be headed by a Chief of Investigation at the D-1 level assisted by one Administrative Assistant (General Service (Other level)).

65. The **Information and Evidence Section** would be required from the outset of the work of the Office of the Prosecutor.[19] As pointed out above, the Prosecutor shall be responsible for the retention, storage and security of information and physical evidence in the course of the investigations. Information which the Prosecutor may receive during the first financial period pursuant to articles 15, paragraph 2, 18, paragraph 6, and 19, paragraph 8, is potential evidence and must be appropriately handled to avoid contamination. The Section would require one Evidence Management Officer (P-4) and three General Service (Other level) staff. The Section would have to be reinforced with Professional and General Service (Other level) staff on the basis of general temporary assistance funds in the event a situation is referred to the Court or an evidence preservation situation arises under article 18, paragraph 6, or article 19, paragraph 8, during the first financial period.

66. Although it is uncertain whether a full investigation will commence during the first financial period of the Court, the Office of the Prosecutor needs a basic investigative capacity, an Investigation Section, to work alongside other sections in executing preliminary examination under article 15, paragraph 2, and to coordinate and undertake investigative steps to preserve evidence under article 18, paragraph 6, or article 19, paragraph 8, or if an investigation proper is launched. The Section should be headed by a Deputy Chief of Investigation at the P-5 level (Chief of Section) and should have four investigators, two at the P-4 level and two at the P-3 level. The Section would be supported by two General Service (Other level) staff. If a full investigation is launched or an evidence preservation situation arises pursuant to article 18, paragraph 6, or article 19, paragraph 8, during the first financial period,

[19] Article 15 communications or complaints will most likely be submitted to the Court early in the first financial period. It is important for the Office of the Prosecutor to have the capacity to appropriately receive and manage materials submitted together with such complaints.

the Section would have to be reinforced with general temporary assistance staff at the Professional and General Service levels.[20]

67. The **Analysis Section** would have to be provided for in the first financial period to serve functions such as collecting and analysing potential evidence on systemic facts required by contextual elements of crimes;[21] analysing military, police and civilian power structures in territorial States; developing evidence relevant to superior responsibility; advising senior management on investigation strategy by assessing overall victimization in territorial States;[22] identifying and assisting experts; analysing document collections; developing tools of criminal intelligence-analysis such as time lines and visual aids relevant to factual patterns,[23] providing a mapping and reference service and sensitive sources coordination; and assisting the Legal Advisory and Policy Section with the training of staff members on background information relevant to territorial States. The Section should be led by a Chief Analyst (P-4) and have one Military Analyst (P-3), one Political Analyst (P-3) and one Criminal Intelligence Analyst (P-2), supported by one General Service (Other level) staff member. If a full investigation starts or an evidence preservation situation were to arise under article 18, paragraph 6, or article 19, paragraph 8, during the first financial period, it would be necessary to hire two or three additional analysts (P-2/P-1) with expertise relevant to the territorial State(s) on a general temporary assistance basis.

68. Accordingly, the overall staffing resource requirement of the Investigations Division would consist of one D-1, one P-5, four P-4, four P-3, one P-2 and seven General Service (Other level) staff.

69. Resources should be foreseen for travel of staff of the Office of the Prosecutor, including with regard to functions pursuant to article 15 of the Statute, as well as for special printers, scanners, photocopiers, monitors and software requirements. For reasons of confidentiality and security it is necessary for the Office of the Prosecutor from the beginning of its operation to have a computer network that is entirely separate from the rest of the Court and unconnected with the outside world.

70. The organizational chart of the Office of the Prosecutor is set out in annex I.B. Proposed post requirements are outlined in table 7.

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[20] In such a situation the Prosecutor may wish to establish a rapid reaction capacity within the Investigation Section, led by regular section members but supplemented by general temporary assistance staff. The Office would also have to turn to general temporary assistance staff in case there was a need for forensic expertise during the first financial period. It is very difficult to estimate the number of general temporary assistance staff that the Investigation Section would require if there was a need for upsurge capacity during the first financial period.

[21] For example, the existence of an armed conflict or a widespread or systematic attack directed against a civilian population. These requirements refer to systemic facts which differ fundamentally from the crime-specific facts with which criminal investigators normally work in national jurisdictions.

[22] The experience of ICTY shows that it is essential to have an appropriate analytical capacity within the Office of the Prosecutor from the outset of its work. By providing an early overview of the overall victimization in a situation referred to the Court, the Analysis Section would play a vital role in developing a proper investigation strategy of the Office of the Prosecutor, which can have significant long-term resource implications (a proper investigation strategy will contribute to a more focused and economical prosecution).

[23] Other such aids would include spreadsheets showing chains or patterns of events, and multi-layered maps showing both background and crime-specific facts.

XIII. The Registry

71. The structure and staffing requirements of the Registry would depend on the level and scope of activities of the Court.

72. The Registry shall be responsible for the non-judicial aspects of the administration and servicing of the Court, without prejudice to the powers and functions of the Prosecutor (Statute, art. 43, para. 1). It shall be headed by the Registrar, who shall be the principal administrative officer of the Court (ibid., para. 2). Under article 38, paragraph 3 (a), of the Statute, "[t]he President, together with the First and Second Vice-Presidents", constituting the Presidency, is entrusted with "the proper administration of the Court, *with the exception of the Office of the Prosecutor*" (emphasis added). Moreover, pursuant to article 43, paragraph 2, "the Registrar shall exercise his or her functions under the authority of *the President*" (emphasis added) and, in accordance with paragraph 1 of the same article, is "responsible for the non-judicial aspects of the administration and servicing of the Court". Article 42 grants the Prosecutor "full authority over the management and administration of the Office, including the staff, facilities and other resources thereof". Therefore, a distinguishing aspect of the Court is that the Registrar is placed more directly under the judiciary, and the Prosecutor is granted explicit powers regarding the administration of the Office of the Prosecutor.

73. In order to maintain this division between the administrative functions to support the judiciary and the administrative functions which support the Office of the Prosecutor, while at the same time maximizing economy and efficiency, it is advisable in the budget for the first financial period of operation of the Court to provide for the establishment of a Common Services Division. This common administrative branch, although not organizationally part of the Registry, would report to the Registrar. It is anticipated that the judiciary and the Office of the Prosecutor would pool those administrative services that are a common requirement of both.[24] The requirements of the Registry in the first financial period take into account this approach.

74. The Registrar shall be elected by the judges. A Deputy Registrar can be elected "if the need arises, and upon the recommendation of the Registrar" (Statute, art. 43, para. 4). It is assumed that the Registrar would be elected by the judges as soon as possible following the resumed/special meeting of the Assembly of States Parties in April 2003. It is further assumed in the present budget that it would not be absolutely essential to have a Deputy Registrar in the first financial period.

Staffing requirements for the Registry

Office of the Registrar

75. The **Immediate Office of the Registrar** would be responsible for the daily management of the judicial pillar of the Court, under the overall authority of the Presidency in conformity with articles 38 and 43 of the Statute. The Immediate Office would also be responsible for liaison and coordination with the Common Services Division on behalf of the judiciary. It would also focus on rendering advice on international law aspects, including the interpretation and application of legal

[24] See sect. XIV below.

instruments regarding the status, privileges and immunities of the ICC, international agreements with the host country and as well as with other States, relocation-of-witnesses agreements and donation agreements. This Office would also deal with legal aspects of detention matters. The Immediate Office would consist of the Registrar at the Assistant Secretary-General level, a Legal Officer (P-4) to act as legal adviser, a Special Assistant/Legal Officer (P-3), with a legal background, who would, inter alia, review documents on issues referred to above, one General Service (Principal level) and one General Service (Other level) staff.

76. Moreover, in order to assist the Registrar in the administrative matters that he/she must perform for the Presidency and the Chambers, provision should be made for a separate management function in the form of an Administrative Unit attached to the Immediate Office of the Registrar, which would include a Budget Officer (P-4) and a Personnel Officer (P-3) to liaise with the relevant offices of the Common Services Division, supported by a General Service (Other level) staff. In addition, due to the overwhelming high level of resources that the translation and interpretation services would require, in particular bearing in mind that the Court would be using a diversity of official languages, the Court would have to be staffed with an adequate number of translators/interpreters, sufficient to meet the requirements of the judiciary. It is, therefore, also recommended that a P-4 Language Coordinator be placed within this Unit to coordinate on a daily basis the language requirements of the judiciary.[25]

77. While it may not be necessary for all judges to serve immediately on a full-time basis as soon as they are elected, it is advisable, as at ICTY, that a **Chambers Legal Support Section** be set up to support the judges who are involved in pre-trial and trial work, and to commence preparatory work as soon as possible. The activities of the Section would include providing substantive legal advice on issues of criminal procedure, interpretation of the Statute or issues of international law; research and editorial support for the drafting of orders, decisions and judgements; case management support for the Registrar and for the organization of the judicial activities of the Chambers; organization of judicial meetings, such as pre-trial conferences, in collaboration with various sections falling under the responsibility of the Registrar; and generally to act as liaison between the judges, the parties and other organs of the ICC.

78. It would be of importance to create from the beginning separate sections for pre-trial, trial and appeals proceedings. In the first financial period, judicial proceedings may primarily take place in the pre-trial phase and on (interlocutory) appeal. Given the importance of such issues for the future functioning of the Court, adequate staffing is needed from the very beginning of its operation.

79. It is envisaged for one Head of the Chambers Legal Support Section to be appointed at the P-5 level, to serve the pre-trial, trial and appeals structures that would be set up. It is proposed that the legal research/assistance function be filled at

[25] See also paragraph 56 (Office of the Prosecutor) and related footnote, in which the requirement for a separate translation and interpretation function within the Office of the Prosecutor is set out. Within the judicial pillar, it will be necessary to have a similar translation and interpretation function, which can grow from the post set out here. In the judicial pillar, this function will be responsible for translating/revising and interpreting documents and statements which become part of the case file. The ICTY experience shows that it is essential to have those providing the translation and interpretation services close to the substantive offices which assign them work.

the P-3 level in the first financial period. Two such positions would be necessary. In addition to those posts, administrative support staff would be needed for those judges serving on a full-time basis and the Professional staff. It is recommended that each staff member at the P-5 level and above have a General Service level assistant, and that other Professional staff be supported at the ratio of one General Service level assistant for two Professionals, all to be recruited only at the time the senior position is filled. It will further be necessary to provide for a Secretary (General Service (Other level)) for each judge serving on a full-time basis.[26] Thus a total of eight General Service (Other level) staff members would be required.

80. **Public Information and Documentation Section**. The Section would be headed by the Spokesperson for the Presidency (P-4). It is to be expected that there will be many public affairs functions needing to be fulfilled in the first financial period. A comprehensive web site should be set up and, in general, a strategy would have to be devised and implemented to put the Court on the world map. A related issue concerns targeted outreach functions which may have to be performed as the Court becomes involved in cases originating from various parts of the world. Such outreach programmes are not expected to be activated during the first financial period, but need to be included in the planning for this section. It is proposed that, initially, the information and documentation should be set up under the aegis of the Registrar. In later stages of the development of the Court, the Office of the Prosecutor may assume some of the public information functions in respect of that Office.

81. From the first day of operation it will be essential to have a computer specialist in the Section who can begin constructing a web site. It is proposed that such a specialist be recruited at the P-3 level. It is further proposed that the Section should also include one Information Officer (P-2), and one media assistant (General Service (Other level)).

82. **Library and Reference Section**. The building up of a good library will be pivotal in the first financial period, especially given the standard-setting work which the Court will be carrying out in its first years of operation. It is therefore proposed that the Section should be staffed with a Librarian (P-3) and, in the course of the first financial period, an Archivist (P-2) and an Administrative Assistant (General Service (Other level)).[27] It is assumed that the Court library will become part of the United Nations Library network for the purpose of accessing legal databases, etc.

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[26] These functions should not be duplicated with the secretarial staff recruited to support the Presidency, i.e. two GS (OL) positions and one GS (PL) position. See para. 42 above.

[27] Drawing on the ICTY experience, it will take quite some time before all library requirements have been identified and acquired. In that light, the offer of the ICTY Registrar to place the ICTY library at the disposal of ICC officials in the start-up phase is significant. This can, however, only be a temporary solution, given the close proximity which much of the material must have to its users.

Judicial Services Division

83. Under the direction of the Registrar,[28] for the first financial period, the Division would be responsible for managing courtroom operations, providing legal aid through the assignment of defence counsel, recommending protective measures and providing counselling and support to victims and witnesses. In the first financial period , it might consist of the following sections and units.

84. The **Court Management Section** would be responsible for managing the operations and proceedings of the Court, developing directives and regulations to govern the operation of the Court proceedings and related judicial matters (see art. 52 of the Statute). It would also be responsible for conducting research and drafting legal submissions to the Chambers regarding legal issues which may have an impact upon the procedure of the Court sessions insofar as they concern the Registry; providing supervision over the procedural and Court-related aspects of all cases before the Court; advising on different practices on the implementation of the Rules of Procedure and Evidence; as well as coordinating with the Security Section, the Conference Services and Language Section and other sections on the functioning of the courtrooms. It is proposed that the Chief of this Section should be recruited at the P-4 level. It is further proposed, in the light of the standard-setting work that will need to be done, that the Chief of Section should be assisted by a lawyer, who in the first financial period of operation could also act as a Court Officer. This post could be filled at the P-2 level. Also necessary will be the functions of File Clerk and Court Records Management Assistant, which in the first financial period of operation could be combined. This post could be filled by a General Service (Other level) staff. A further function required in the first financial period of operation is that of Court Clerk/Usher (General Service (Other level)).

85. It would be necessary to include in the budget for the first financial period a certain degree of flexibility so as to meet any urgent and unexpected requirements, in areas such as field operations, travel, overtime, court reporting and the making of transcripts.

86. **Victims and Witnesses Unit**. The Statute and the finalized draft text of the Rules of Procedure and Evidence assign a significant role to the Victims and Witnesses Unit. The "clients" of the Unit will include, in addition to witnesses and victims who appear before the Court, other individuals at risk on account of a testimony. In addition to the traditional duties of protection, support and logistical/administrative/operational assistance, the Unit would be required, among other matters, to provide training to the Court, recommend codes of conduct for investigators, NGOs, etc., and advise witnesses in obtaining legal representation.

87. It is assumed that the Victims and Witnesses Unit during the first financial period would need to prepare itself for worldwide operations and deployment at short notice as much as possible before the first witnesses arrive. In this connection, also included in the present budget proposal are funds to allow for upsurge capacity with regard to operations based on the equivalent of general temporary assistance funds used in the

[28] The Judicial Services Division could be headed at the D-2 level. It is assumed that during the first financial period there would not be enough activities to justify the establishment of the post. However, should the position become necessary, the appropriation line adopted by the States Parties under regulations 4.2 and 4.3 of the draft Financial Regulations may be utilized, or supplementary budget proposals under draft regulation 3.6 may be submitted by the Registrar.

United Nations system. Based on these assumptions, it is anticipated that the following posts will need to be provided for in the first financial period of the Court.

88. It is proposed that the Chief of the Unit should be recruited at the P-5 level, in the light of the particular requirements of the position and the type of expertise demanded. It is further essential that a Protection Officer at the P-3 level and an Operations Officer (P-3) be included with the initial set-up of the Unit. While the Protection Officer would be involved in setting up the systems and procedures which will be necessary to have in place to enable the Registry to deal with the protection of witnesses, the Operations Officer will have to prepare all systems and mechanisms for the logistical aspects of bringing witnesses to The Hague from all over the world, having them stay there, and getting them back to where they came from. In the initial phases of setting up the Unit, a considerable amount of legal work will need to be done. For this purpose, it is proposed that the legal adviser from the Immediate Office of the Registrar be utilized. In addition, an Administrative Assistant (General Service (Other level)) would be necessary for the Unit. Unless the actual arrival of witnesses is expected in the first financial period, a Support Officer may not be immediately necessary, as the initial work could also be done by the Chief of Section. However, a Support Officer may have to be recruited at short notice, through the use of the provision for temporary assistance.

89. As regards non-staffing costs required for the first financial period, the following general remarks can be made. The Victims and Witnesses Unit would need to procure the appropriate services and equipment in the area of communications and information technology. In the event of the early participation of victims/witnesses in court proceedings, significant funds equivalent to general temporary assistance funds used in the United Nations system would need to be available for contracting primary support services when required.

90. **Victims Participation and Reparation Unit**. This Unit will have to deal with the functions described in articles 15 (3), 19 (3) and 68 (3) of the Statute and rules 16, 50, 59 and 89 to 93 of the finalized draft text of the Rules of Procedure and Evidence relating to participation of victims in the proceedings. It will also have to deal with the functions described in articles 57 (3) (e), 75 and 82 (4) of the Statute and rules 94 to 99 of the draft Rules of Procedure and Evidence relating to reparations to victims. The Unit will have to develop systems and mechanisms for reparations to victims and their participation in the proceedings. The staff required will be one Legal Officer (P-4) and one Associate Legal Officer (P-2).

91. In the light of the activities envisaged under the draft resolution of the Assembly of States Parties on the establishment of the Victims Trust Fund, it is proposed that a post at the P-3 level dealing exclusively with matters related to the Victims Trust Fund be created within the Victims Participation and Reparation Unit of the Registry. The person will be appointed by the Registrar for a six-month period upon the recommendation of the Board of Directors of the Victims Trust Fund. The estimated requirements amount to €48,000.

92. **Defence Counsel Unit**. In the first financial period, and most likely thereafter as well, legal aid and legal detention matters should be handled by the same Office. The Unit would cover two core functions: legal aid and general assistance to defence counsel. The defence (team) and the defendant are in practice one "customer" for

the services to be provided, one party for decisions to be addressed to, and one information structure to be aware of when managing the functions.[29]

93. For the first financial period, the functions outlined above could be translated into the following positions. Firstly, there would be a need for a Chief of Unit, who would have to initiate, supervise and manage the drafting of rules and policies and liaise with external parties. Such a manager would have to be recruited at the P-4 level in view of the relevance of the matters for fair trial and the financial management and responsibility connected with the post. Secondly, an Associate Legal Officer at the P-2 level would be required to do much of the groundwork regarding the necessary legal research and drafting. It is envisaged that a Secretary (General Service (Other level)) would be necessary to assist the Unit in facilitating communications, distributing material, establishing databases, etc. Although it is assumed that a situation will not be referred to the Court in the first financial period, such a possibility cannot be completely discarded. Thus, a provision in the amount of €200,000 is included in the reserve for unforeseen expenses to cover legal aid costs if and when necessary. In addition, general temporary assistance funds should be available for the possible requirement of specific investigations, field operations, travel and consultants for specific legal or other matters.

94. **Detention Unit**. In the first financial period of operation of the Court, the Detention Unit would be involved in setting up an appropriate detention facility,[30] establishing adequate procedures[31] and setting up training systems for the relevant staff.[32]

95. These functions could be translated into the following positions: a Commander of the Unit (P-4), a Deputy Commander (P-2) and one Administrative Assistant (General Service (Other level)). Flexible means of recruiting detention guards, in case of need, could be considered.[33]

96. The overall staffing resource requirements of the Registry would consist of one staff at the Assistant Secretary-General level; two P-5; eight P-4; nine P-3; six P-2; and one General Service (Principal level) and 17 General Service (Other level) staff. The organizational structure of the Registry is set out in annex I.C and the proposed post requirements are outlined in table 9.

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[29] The legal aid function advises detainees on the relevant rules for assignment of counsel (Statute, arts. 55, 67). Most detainees address complaints through their lawyers to the Registry and take an active role in the selection of their co-counsel. In maintaining the physical and mental integrity of detainees, counsel is an important partner for the organization.

[30] The establishment of such a facility is crucial for later operations, guaranteeing appropriate detention standards for detainees. The facility would need to include proper cell spaces, recreation space, medical facilities, visiting facilities for small or large groups, cell and visit monitoring equipment, search facilities, interview rooms, etc.

[31] Standard procedures for detention must be in place before accused persons are detained. These may include post orders, medical emergency procedures, standard operations procedures, etc.

[32] It is required that core staff be trained and prepared to deal with the specific needs of detention matters in an international environment in order to be able to train new staff upon detention of individuals at the ICC detention facility.

[33] In this connection, the ICTY experience with a flexible and cost-efficient arrangement with the competent authorities of the Netherlands, whereby cells are rented in conjunction with certain services (prison guards, medical facilities, services for detainees, etc.) on a price-per-cell basis. The cells and the services are leased by the ICTY based on a minimum amount of units, each consisting of 12 cells.

XIV. Common Services Division

97. Particularly for the purposes of the first financial period, the establishment of the Common Services Division is intended to maximize efficiency and economy within the parameters of the strict division of powers set out in the Statute between the judiciary (Presidency, Chambers and Registry) and the Office of the Prosecutor. In this model, the judicial branch of the Court would administratively be overseen by the Presidency until the election of the Registrar, while the Office of the Prosecutor would have its own administrative powers. The Common Services Division is envisaged to provide to the judiciary, the Office of the Prosecutor and the Registry administrative services that are a common requirement for all three. The Division would report to the Registrar, and pending his or her election, to the Presidency. The Registrar and the Prosecutor would cooperate in these matters taking into account articles 42 and 43 of the Statute. Examples of such services would be: general services, building management, finance, many aspects of security, procurement, certain aspects of human resources (including training), information technology and communication matters, and some aspects of conference and language services. It is anticipated that during the first financial period of operation of the Court the division will be heavily tasked with many of the operational start-up matters connected with setting up a new international organization. It is envisaged that the Common Services Division would be granted a sub-budget by both the Registrar (on behalf of the Presidency) and the Prosecutor (for the Office of the Prosecutor) to provide the administrative support which each of them requires and would have budgeted for.

98. For the purposes of the first financial period, it is anticipated that the division would be headed by a Director (D-1), who would oversee the work of general administrators and staff with experience in setting up courts. As the establishment of the Court progresses, certain functions, mainly those that are specifically court-related, would be transferred from the Common Services Division to the Office of the Prosecutor or Registry, as appropriate.[34]

99. The Common Services Division would be composed of the following offices and sections.

100. **Office of the Director of Common Services**. The Director of Common Services would direct eight sections. He/she would be supported by one Administrative Assistant (General Service (Other level)).

101. **General Services Section**. The Section would be responsible for travel and traffic arrangements as well as building management and transport activities. It would be headed by a Chief of Section (P-4). The Section would consist of a Building Management Unit, a Central Records Unit, a Protocol Unit, a Logistics Unit and a Travel Unit. Accordingly, these units would require one Building Management Officer (P-3), one Archivist (P-3), one Protocol Officer (P-3), one

[34] In this connection, attention is drawn to the translation and interpretation function, which for reasons of economy could, in the first financial period or part thereof, be coordinated within the Common Services Division but which will have to be divided into two separate functions quite soon: one for the judicial and one for the prosecutorial pillar (see paras. 56 and 76). It is to be expected that, within the split, certain aspects of the function could be pooled in the Common Services Division. However, the details of the manner and the extent to which that should be done will be best determined by the senior management of the Court at the time.

Logistics Officer (P-3) and one Travel Officer (P-2). One Senior Graphics Design Assistant (General Service (Principal level)) and 10 Service Assistants (General Service (Other level)) would assist in these units. As shown in the organizational structures of the Presidency and the Common Services Division (annexes I.A and I.D to the present document), this section would also include one clerk/driver for the President. This structure assumes that there would be no field operations and that most of the focus would be on basic start-up activities.

102. **Procurement Section**. The Section should be independent of the other sections of the division to avoid any appearance of conflict of interest. It would be headed by a Chief (P-4), and would include one Procurement Officer (P-3) and two Procurement Assistants (General Service (Other level)). As it is anticipated that there would be a large procurement workload in connection with the initial phase, it is expected that much of this work will be outsourced. The minimum staffing may have to be increased to meet extra operational requirements such as activities in the field.

103. During the ninth session of the Preparatory Commission, in addressing the question of procurement requirements for the Court, there was a general sentiment in the Working Group on Financial Issues-Financial Rules that it would be desirable, in principle, for the Court to outsource procurement during the initial phase. At the same time, the Working Group was of the view that such outsourcing should be limited in time and utilized only when reasonably required. Furthermore, it was underscored that outsourcing of procurement should not entirely replace the Court's internal procurement capability during the initial phase. In order to factor in learning and training in that area, it was also considered useful that, having due regard to cost-effectiveness and time-efficiency, a staff member of the Court should be placed within the entity that would provide procurement services to the Court.

104. The Procurement Officer (P-3) within the Procurement Section could be assigned for that purpose. Requirements estimated at €382,600 were included in the section related to the Common Services Division (under contractual services) to provide for the outsourcing of procurement.

105. **Personnel Services Section**. Besides dealing with a surge of recruitment, the Section would have to deal with the setting up of all personnel administration systems and processes, including the commissioning of the preparation of job descriptions. The proposed staffing structure would include one Chief of Section (P-5), one Classification Officer (P-4), one Recruitment Officer (P-3), three Human Resources Assistants (General Service (Principal level)) and one Administrative Assistant (General Service (Other level)).

106. **Budget and Finance Section**. The Section would be responsible for setting up all financial systems and controls, including arrangements for periodic budgetary monitoring. The Budget and Finance Section would also consolidate, in accordance with rule 103.2 of the draft Financial Rules (PCNICC/2002/1/Add.1), programme budgets for financial periods at such times and in such detail as the Registrar may prescribe. Such programme budgets shall be prepared on a results-based budgeting basis, in accordance with regulation 3.3 of the draft Financial Regulations. In addition, it is assumed that the Section would have to administer and process financial assessments of States Parties. The proposed staffing structure would include one Chief Finance Officer (P-5), one Accounts Officer (P-4), one Budget Officer (P-4), one Disbursements Officer (P-3), one Investment Officer (P-3), one

Payroll Officer (P-4), one Cashier (P-3), and one Contributions Officer (P-2). In addition, it would be necessary to include five Finance Assistants (General Service (Other level)) and one Administrative Assistant (General Service (Other level)).

107. **Office of Internal Audit**. Pursuant to rule 110.1 of the draft Financial Rules, provision should be made for an Office of Internal Audit. This Office would conduct independent audits of the financial transactions and the administrative systems underlying such transactions and provide related comments and recommendations to the Registrar and, in areas falling under the authority of the Prosecutor, by virtue of article 42, paragraph 2, of the Rome Statute, also to the Prosecutor. The Office would perform its tasks independently and report to the Registrar. Its administrative allocation would be in the Common Services Division.

108. Accordingly, a provision of €149,800 would have to be made for the Office of Internal Audit, composed of one auditor at the P-5 level, to reflect the level of responsibilities and experience that this function requires, and one staff member at the General Service (Other) level, to provide administrative and secretarial support.

109. **Conference and Language Support Services Section**. In the first financial period of operation, the Section would be mostly responsible for the administrative aspects of translation and simultaneous interpretation services. The proposed structure could be headed by a Chief of Section (P-5) and comprise three Interpreters (P-4), one Head of the Translation Unit (P-4), who will supervise five Translators/Revisers (P-3). It would further be necessary to include two Language Assistants (General Service (Other level)) and one Administrative Assistant (General Service (Other level)). This staffing structure would create the capacity to deal with the official languages of the Court given limited trial activity. Flexibility to recruit on the basis of the equivalent of general temporary assistance funds used in the United Nations will be necessary if other languages and tasks are added to the work of the Section.

110. **Information Technology and Communications Services Section**. The responsibilities of this Section would include computer and communications services. The Section would have to engage in IT development and in setting up structures to support headquarters and field operations. Accordingly, the proposed structure would consist of one Chief of Section (P-5), one Development Officer (P-4), one Computer Systems Officer (P-3), one Programmer/Analyst (P-3), one Associate Computer Officer (P-2), one Associate Audio-visual Officer (P-2), one Associate Computer Training Officer (P-2) and one Associate Database Administrator (P-2), to be supported by seven IT Assistants (General Service (Other level)) and one Administrative Assistant (General Service (Other level)).

111. **Safety and Security Section**. The Section would be responsible for ensuring the security of the Court premises and for coordinating and implementing an information security policy, in concert with both the judicial branch and the Office of the Prosecutor. In the first financial period, the Section would have to set up security systems to cover operations (evacuation systems and protocols, staff security awareness policies and training, and information security policies). In addition, and probably later in the first financial period, the functions of the section may include the requirement to ensure the safety of witnesses in the premises both before and after testifying.

112. The staffing requirements for the first financial period would include a Chief of Security (P-4), an Information Security Officer (P-3), an Associate Security Assessment Analyst (P-2) and one Administrative Assistant (General Service (Other level)). Moreover, it would be necessary to include 20 Security Officers to provide 24-hour/7 days-a-week guard shifts in addition to the more general security services provided by the host State, as has been the custom at ICTY.

113. **Legal Advisory Services Section**. In the first financial period , the Section would provide legal advice to the Director of the Common Services Division on the legal aspects of administrative matters and complex commercial contracts. It would be involved in the review of all human resources structures and policies, all procurement structures and policies, and all other policies that would be put in place. The staffing requirements for the first financial period would include one Legal Officer at the P-4 level and one Legal Officer at the P-3 level, to be supported by a Secretary (General Service (Other level)).

114. It would seem advisable to envisage for the Division of Common Services a category entitled "Other staff costs". Requirements under this heading would provide for: (a) general temporary assistance resources for replacements in the division during periods of extended sick or maternity leave; and (b) resources to meet overtime and night differential requirements that might arise. Similar provisions would be needed for the Office of the Prosecutor and for the Registry.

115. The overall staffing requirements of the Common Services Division would thus consist of 1 D-1, 5 P-5, 13 P-4, 18 P-3, 7 P-2, 5 General Service (Principal level), 34 General Service (Other level) and 20 Security Service staff. The organizational structure of the Common Services Division is set out in annex I.D and the proposed post requirements are outlined in table 11.

XV. External audit

116. In accordance with regulation 12 of the draft Financial Regulations of the Court, an external Auditor shall be appointed by the Assembly of States Parties to conduct audits in conformity with generally accepted common auditing standards, subject to any special directions of the Assembly of States Parties. The Auditor shall issue a report relating to the accounts for the financial period, such report to include information on matters referred to in regulation 12 (3) of the draft Financial Regulations of the Court.

117. Since it has been proposed that the first financial period should extend from September 2002 to the end of December 2003 and owing to the fact that a certain level of activity and related expenditure will occur prior to the appointment of the Registrar, it is considered advisable that an initial audit should cover the period beginning with the very first activities of the Court, including meetings of the Assembly of States Parties, until such time as the Registrar takes up his or her duties. It is contemplated that a subsequent audit would cover the entire first financial period.

118. While the Auditor has yet to be appointed, it is estimated that the total cost of external audit for the first financial period of the Court would be €40,000. This figure is reflected in Part Two of the present document.

XVI. Furniture and equipment

119. During the critical initial phase, it will be necessary to provide for equipment and furniture to enable all the organs of the Court as well as other bodies and services to function efficiently and effectively in the administration of justice. For example, there will be a need for equipment for electronic scanning and digitizing documents to allow for efficient storage and retrieval of documents and information, including the preservation of evidence. Furniture and equipment will also be required for officials and staff members. The Netherlands Government will provide free of charge up to 100 workstations, furniture and equipment, in the first financial period. These are a one-off investment for desktops, chairs and cabinets relating to the 100 workstations. The workstations will include telephones, desktop computers and printers compatible with the future network systems of the Court. This will also include a limited number of scanners and photocopiers. For more details on the matter, see annex V to the present document.

Part Two
Provisional estimates for the first financial period of the Court

XVII. Summary of estimates

120. It is estimated that the total cost for the first financial period of the Court would be €30,893,500 (net of the €300,000 contribution from the host country), of which €24,040,800 would relate to the cost of operations of the Court, €2,582,200 to the first meeting of the Assembly of States Parties, to be held in New York in 2002, and €4,570,500 to the cost of the other meetings, including the cost of travel of the judges and the Prosecutor to attend the Inaugural Meeting of the Court and the cost of the meeting of the Board of Directors of the Victims Trust Fund.

121. The requirements estimated at €2,582,200, related to the holding of the first meeting of the Assembly of States Parties are expected to be funded through the Trust Fund to Support the Establishment of the International Criminal Court. Those estimates are summarized in table 1.[35]

122. It should be understood that these estimates are to a great extent indicative and do not preclude further endeavours for outsourcing. An attempt was made to draw upon the experience of the International Tribunal for the Former Yugoslavia as well as the International Tribunal for Rwanda. However, given its broader scope and jurisdiction, the International Criminal Court is a unique institution and consequently there are elements that of necessity remain highly uncertain. Nonetheless, more precise estimates will be developed as States Parties make further decisions regarding some issues, including, inter alia, in-kind contributions to be provided by States Parties and staff rules.

[35] By a resolution of the Assembly of States Parties (PCNICC/2002/1, annex II), the Assembly would decide that the contributions made by States to the Trust Fund should serve as a credit against future assessments against the budget of the Court.

123. The estimates presented below are based on the assumption that there will be no trials or detainees during the first financial period of the Court. Nevertheless, account has been taken of the need to allow a certain degree of scalability and flexibility, which will allow the Court to respond quickly to an upsurge of activities. Such scalability and flexibility are built into the estimates through the provisions for general temporary assistance and the reserve for unforeseen expenses. States Parties may wish to establish adequate policies and procedures for the authorization, use and reporting of expenditures incurred under the reserve for unforeseen expenses, in order to ensure its rigorous and prudent management. It is expected that adequate policy procedures and budget methodology will be worked out by the Registrar, in consultation with the Committee on Budget and Finance, with a view to formulating a results-based budget, in accordance with regulation 3.3 of the draft Financial Regulations. Annex IV summarizes the provisions included under the reserve for unforeseen expenses.

124. It should also be noted that regulation 3.6 of the draft Financial Regulations provides for supplementary budget proposals to be submitted by the Registrar if circumstances unforeseen at the time of adoption of the budget make it necessary.

125. Notwithstanding the foregoing assumptions, the possibility of a situation being referred to the Court cannot be completely precluded. Article 13 of the Statute prescribes that a situation can be referred to the Court by a State Party, the Prosecutor or the Security Council in accordance with Chapter VII of the Charter of the United Nations. With regard to the latter instance, the modalities for cost-sharing would have to be defined between the United Nations and the Court, based on appropriate arrangements between the two institutions.

126. The total resource requirements for the first financial period of operation of the Court is estimated at €24,040,800, net of the requirements for the meetings. Table 2 contains a breakdown of the estimated requirements by object of expenditure.

127. As summarized in table 3, it is estimated that a total of 202 posts (106 in the Professional category and above and 96 in the General Service and related categories, including 20 security posts) would be needed for the year 2003. For the first four months of the Court's operations (September-December 2002), as summarized in table 4, a total of 61 posts (34 in the Professional category and above and 27 in the General Service category, including 10 security posts) would be required to secure the initial functioning of the Court. Total post costs (salaries and common staff costs) are estimated at €11,217,300. These estimates were based on current United Nations standards, adjusted to take into account the higher requirements for common staff costs resulting from the expected high amount of travel on initial appointment and the related removal and installation costs. Thus, common staff costs were augmented by a factor of 30 per cent. Furthermore, the following assumptions were made concerning recruitment: (a) that a system for the expeditious recruitment of staff would be put in place soon after the start of operations; (b) that there would be a large number of qualified individuals willing to join the Court; (c) that recruitment would be carried out in a phased manner; and (d) that the Court would find little difficulty in locally recruiting a significant number of General Service staff. On that basis, an average vacancy rate of 45 per cent was applied for the first four months of operation and, for 2003, an average vacancy rate of 35 per cent was applied.

Table 1

Summary of estimates for the first financial period of the Court by programme

(In thousands of euros)[a]

	Estimated requirements
A. Operation of the Court	
1. Presidency and Divisions	2 718.4
2. The Prosecutor	3 961.2
3. The Registry	2 901.9
4. Common Services Division	13 407.3
5. Reserve for unforeseen expenses	1 052.0
Total A	**24 040.8**
B. Meetings of the Assembly of States Parties, of the Bureau and of the Committee on Budget and Finance[b,c]	
1. Conference-servicing costs	2 935.3
2. Non-conference-servicing costs	487.1
3. Programme support costs (13% of total of 1 + 2)	444.9
4. Reserve for contingency (15% of total of 1 + 2 + 3)	580.1
Total B	**4 447.4**
Total (A + B)	**28 488.2**
C. Inaugural Meeting of the Court (The Hague, 2003)[d]	97.0
Total (A + B + C)	**28 585.2**
D. First meeting of the Assembly of States Parties (New York, 2002)[e]	2 582.2
Total (A + B + C + D)	**31 167.4**
E. Meeting of the Board of Directors of the Victims Trust Fund	26.1
Total (A + B + C + D + E)	**31 193.5**
F. Contribution of host country (to be applied towards the cost of meetings)	(300.0)
Grand total (A + B + C + D + E + F)	**30 893.5**

[a] Exchange rate: US$ 1.00 = €1.11.

[b] Excluding the first meeting of the Assembly of States Parties, to be held in New York in 2002, and the Inaugural Meeting.

[c] See annex III to the present document.

[d] The Inaugural Meeting of the Court will be held at The Hague. The meeting will be financed by the host country.

[e] This meeting will be funded through the Trust Fund to Support the Establishment of the International Criminal Court.

Table 2
Summary of estimates for the first financial period of operation of the Court by object of expenditure
(In thousands of euros)

	Estimated requirements
Salaries, allowances and entitlements of judges	2 539.0
Posts[a]	11 217.3 [a]
Other staff costs	1 387.4
Consultants and experts	45.0
Travel	316.4
Hospitality	15.0
Contractual services	851.6
General operating expenses	1 143.0
Supplies and materials	440.0
Furniture	455.2
Office automation equipment	1 091.0
Other equipment	3 236.0
Maintenance of furniture and equipment	252.0
Unforeseen expenses	1 052.0
Total requirements	**24 040.8**

[a] In the period from September to December 2002, the activities of the Court will be carried out by a "core staff", comprising 61 posts (see annex II to the present document). It was assumed that an average vacancy rate of 45 per cent would be in effect for this period. For 2003, an average vacancy rate of 35 per cent was assumed.

XVIII. Work programme

128. It is assumed that during the first financial period the Court will be dealing mainly with matters related to its internal organization and other start-up needs as well as public and media relations. The Court will need only the minimal level of resources necessary to undertake the tasks of setting up its operations and preparing to receive eventual cases. In accordance with the document entitled "Road map leading to the early establishment of the International Criminal Court" (PCNICC/2001/L.2), the judges and the Registrar will not be elected prior to the year 2003. Thus, for the period from September to December 2002, provision is made only for a small number of "core staff", comprising 61 posts, including the post of Director of Common Services (D-1).

Table 3
Summary of post requirements for the International Criminal Court for 2003

	Estimated requirements
Professional category and above	
USG	1
ASG	2
D-2	1
D-1	2
P-5	13
P-4	33
P-3[a]	40
P-2/1	14
Total	**106**
Other categories	
General Service (PL)	7
General Service (OL)	69
Security and Safety	20
Total	**96**
Grand total	**202**

[a] Includes one P-3 post to be established for a period of six months, in 2003, in the Victims Participation and Reparation Unit of the Registry.

Table 4
Post requirements for the Court for the period from September to December 2002
(Core staff requirements)

	Estimated requirements
Professional category and above	
D-1	1
P-5	4
P-4	9
P-3	14
P-2/1	6
Total	**34**
Other categories	
General Service (PL)	3
General Service (OL)	14
Security and Safety	10
Total	**27**
Grand total	**61**

A. The Presidency, the Divisions and the Chambers

Activities

129. According to article 35, paragraph 2, of the Rome Statute, the three judges comprising the Presidency, namely the President, the First Vice-President and the Second Vice-President, shall serve on a full-time basis as soon as they are sworn in. It is expected that in the first financial period of the Court, the Presidency would be concerned mainly with high-level external relations and communication and organizational matters, including actions, undertaken in conjunction with the Registrar, aimed at establishing systems for the functioning of the Chambers. For details concerning the activities of the Presidency in the first financial period of the Court see Part One, paragraph 40, of the present document. The President and the Vice-Presidents will be assisted by one Chef de Cabinet (P-5), one Spokesperson (P-4),[36] one Legal Officer (P-3), one clerk/driver for the President (General Service (Principal level)) and two secretaries (General Service (Other level)).

130. The Presidency, on the basis of the workload of the Court and in consultation with its members, will decide to what extent the remaining 15 judges will be required to serve on a full-time basis. Provision is made for 9 judges, including the

[36] The spokesperson of the Presidency serves also as the head of the Public Information and Documentation Section of the Registry.

President and the Vice-Presidents, working on a full-time basis, as well as for 9 non-full-time judges.

Resource requirements

131. The estimates included under this heading are related to the salaries, allowances and common costs of judges. It was also considered prudent to include a modest provision for official travel of judges. Requirements for travel related to possible attendance at sessions of the Assembly of the States Parties, the meetings of the Bureau and of the Committee on Budget and Finance were not included under this heading, as they are reflected under the non-conference-servicing costs related to those meetings.

132. On the basis of the above assumptions, resource requirements for the Presidency, the Chambers and the Divisions have been estimated at €2,718,400, as shown in tables 5.A and 5.B.

Salaries and allowances of judges

133. The salaries of the judges (€180,000 per judge per annum) and the special allowances for the President (€18,000 per annum) and the Vice-President (up to a maximum of €10,000 per annum) are estimated in accordance with paragraphs 1 to 3 of annex VI to the present document. Therefore, a provision of €1,510,700 is included to cover 11 months of salary in respect of the equivalent of nine judges and the payment of the special allowances for the President and the two Vice-Presidents. The special allowance is to be paid to the Vice-Presidents for each day they act as President, provided that, on an annual basis, such special allowance does not exceed €10,000 in total.

134. As to the nine non-full-time judges, their annual allowance of €165,000 is estimated in accordance with paragraph 9 of annex VI to the present document. Moreover, it is assumed that up to five non-full-time judges may be eligible for a supplementary annual allowance of €40,000 (per judge per annum), in accordance with annex VI, paragraph 10. Accordingly, a provision of €183,300 has been included to cover 11 months of additional allowance for five such judges.

Common costs of judges

135. The non-salary benefits/allowances of judges are set out in paragraphs 4 to 8 of annex VI to the present document. Accordingly, requirements estimated at €680,000 would provide for business-class travel on appointment, installation allowance, removal of household effects and education grant.

Staff costs

136. Costs related to staff directly assigned to the Presidency and the Divisions are not included under this heading. For administrative purposes, the staff assigned to substantively service the Presidency and the Divisions are included under the Registry, except for the post of clerk/driver for the President (General Service (Principal level)), which is included under the Common Services Division.[37] However, for ease of analysis, an organizational chart of the Presidency, the

[37] See Part One, para. 101.

Chambers and the Divisions of the Court reflecting the related posts under the Presidency is presented in annex I.A to the present document.

Travel

137. It is assumed that, in the first financial period of the Court's operation, travel of judges would be undertaken essentially for the purpose of establishing contacts and consultations with relevant institutions. Thus, a provision of €31,000 has been included under this heading, to cover the estimated cost of travel for six trips and daily subsistence allowance for 4 to 5 days per trip. Provisions for possible travel of the President in connection with the meetings of the Assembly of States Parties, the meeting of its Bureau, the Inaugural Meeting and the meeting of the Committee on Budget and Finance were not included, as they are reflected in the estimates of non-conference-servicing costs of those meetings.

138. For the one-day plenary session of the Court to elect the Registrar, a provision of €47,100 has been included to cover the estimated cost of travel of nine non-full-time judges to The Hague as well as their special allowance and subsistence allowance payable under the conditions of service of such judges. No additional cost would be required for participation in this session by the other nine judges serving on a full-time basis.

139. Analogous considerations as described in the preceding paragraph have been made in the costing for the nine non-full-time judges to attend the two-week session of the Court to consider and adopt the Regulations of the Court. A provision of €101,300 has been included for this purpose. The total costs for the one-day plenary session and the two-week plenary session are shown in table 5.B.

Table 5.A
Estimates by object of expenditure[a]
(In thousands of euros)

A. Presidency, Divisions and Chambers of the Court

Expenditure	*Estimated requirements*
Salaries and allowances of full-time judges	1 510.7
Allowances of non-full-time judges	348.3
Common costs of judges	680.0
Travel of full-time judges	31.0
Total requirements	**2 570.0**

[a] Does not include requirements for posts directly assigned to the Presidency and the Divisions of the Court. Such requirements are included under the Registry and the Common Services Division (see tables 8 and 10).

Table 5.B
Meetings of the Court in plenary session subsequent to the Inaugural Meeting (related travel and allowances of non-full-time judges)
(In thousands of euros)

Expenditure	*Estimated requirements*
Airfare for nine non-full-time judges	76.0
Special allowance	26.8
Subsistence allowance	45.6
Total requirements	**148.4**

B. Office of the Prosecutor

Activities

140. The structure and staffing of the Office of the Prosecutor in the first financial period of operation of the Court will allow the Prosecutor to carry out the tasks related to the initial establishment of the Office. However, resources are provided under general temporary assistance and the reserve for unforeseen expenses to allow the Office to respond to an upsurge in activities that may require a full prosecutorial and investigative capacity. For further details regarding the activities of the Prosecutor in the first financial period of the Court, see Part One, paragraphs 46-53.

141. Once the Prosecutor is elected, it would be necessary to set up an Immediate Office of the Prosecutor, consisting of the Prosecutor, one Deputy Prosecutor, a Special Assistant to the Prosecutor (P-5),[38] a Special Assistant to the Deputy Prosecutor (P-4) and a Spokesperson (P-4). The Immediate Office would also be supported by administrative and secretarial staff. The Prosecution Division, comprising the Prosecution Section, the Legal Advisory and Policy Section and the Appeals Section, will be headed by a Director of Prosecutions at the D-2 level. The Investigation Division, comprising the Information and Evidence Section, the Investigation Section and the Analysis Section, would be headed by a Chief of Investigations at the D-1 level.[39]

Resource requirements

142. Requirements for the Office of the Prosecutor are estimated at €3,961,200 distributed as described in table 6.

[38] The level of the post will be reviewed based on the experience gained during the year 2003 with a view to determining if it should be upgraded.

[39] The level of the posts within the Information and Evidence Section and the Analysis Section may be upgraded during the first financial period of the Court.

Table 6
Estimates by object of expenditure
(In thousands of euros)

B. Office of the Prosecutor

Expenditure	*Estimated requirements*
Posts	3 078.9
Other staff costs	830.3
Travel (including travel for purposes of investigation)	52.0
Total expenditures	**3 961.2**

Table 7
Post requirements for 2003

B. Office of the Prosecutor

	Estimated requirements
Professional category and above	
USG	1
ASG	1
D-2	1
D-1	1
P-5	5
P-4	12
P-3	12
P-2/1	1
Total	**34**
Other categories	
General Service (PL)	1
General Service (OL)	16
Total	**17**
Grand total	**51**

Posts

143. Requirements estimated at €3,078,900 would provide for 51 posts (34 in the Professional category and above and 17 in the General Service category). Details concerning the staffing and its distribution in the Office of the Prosecutor can be found in Part One (paras. 54-68), table 7 and annex I.B to the present document.

Other staff costs

144. The provision of €830,300 would provide the equivalent of 17 work-months of general temporary assistance at the P-4 level, 32 work-months at the P-3 level, 17 work-months at the P-2 level and 26 work-months of General Service (Other level) (€817,300) as well as overtime and night differential (€13,000).

Travel

145. It is assumed that limited travel would be required in respect of the Prosecutor, the Deputy Prosecutor and other staff in the Office of the Prosecutor. A provision of €52,000 has been made to cover travel, such as for consultations and other business in connection with the installation of the Court. Travel and daily subsistence allowance costs related to possible attendance at sessions of the Assembly of the States Parties, the meeting of its Bureau, the Inaugural Meeting and the meeting of the Committee on Budget and Finance are not included under this heading, as they are reflected under the non-conference-servicing costs related to those meetings.

C. The Registry

Activities

146. The Registry shall be responsible for the non-judicial aspects of the administration and servicing of the Court, without prejudice to the functions and powers of the Prosecutor, in accordance with article 42 of the Statute. The Registry shall be headed by the Registrar, who shall be the principal administrative officer of the Court and shall exercise his/her functions under the authority of the President of the Court (art. 43, para. 2).

147. In the first financial period of operation of the Court, it is assumed that the Registry will be concerned mostly with administrative functions, matters of internal organization, external relations and communications. Accordingly, it is estimated that in the first financial period requirements for the Registry would amount to €2,901,900. A breakdown of these requirements is given in table 8.

Table 8
Estimates by object of expenditure
(In thousands of euros)

C. Registry

Expenditure	*Estimated requirements*
Posts	2 550.6
Other staff costs	251.3
Travel	85.0
Hospitality	15.0
Total requirements	**2 901.9**

Table 9
Post requirements for 2003[a]

C. Registry

	Estimated requirements
Professional category and above	
ASG	1
D-2	-
D-1	-
P-5	3
P-4	8
P-3[b]	10
P-2/1	6
Total	**28**
Other categories	
General Service (PL)	1
General Service (OL)	19
Security and Safety	-
Total	**20**
Grand total	**48**

[a] Includes posts to be directly assigned to the Presidency and the Divisions of the Court (1 P-5, 1 P-4, 1 P-3 and 2 General Service (Other level)).

[b] Includes one P-3 post to be established for a period of six months, in 2003, in the Victims Participation and Reparation Unit of the Registry.

Resource requirements

Posts

148. Requirements estimated at €2,550,600 will provide 48 posts (28 in the Professional category and above and 20 in the General Service category) in the year 2003 and 12 posts (9 in the Professional category and above and 3 in the General Service category) in the period from September to December 2002, including staff to be directly assigned to the Presidency. Post requirements for 2003 are summarized in table 9. Details concerning the functions and the structure of the Registry can be found in Part One (paras. 75-96) and in annex I.C to the present document.

Other staff costs

149. The provision of €251,300, will provide for temporary assistance equivalent to 16 work-months at the P-3 level, 9 work-months at the P-2 level, 25 work-months at General Service (Other level) and 60 workdays of court reporting service at the approximate rate of €466/day (€244,300) as well as overtime and night differential

(€7,000). The temporary assistance will be needed in case of an upsurge in activities.

Travel

150. Requirements estimated at €85,000 would provide for travel and daily subsistence allowance in respect of the Registrar, the Director of Common Services and other staff of the Registry, including the Common Services Division. It is estimated that the Registrar, the Director of Common Services and the Chiefs of Section will need to travel to New York for consultations at United Nations Headquarters, particularly in connection with the activities contemplated in the draft Relationship Agreement between the Court and the United Nations, and to undertake other occasional travel in the conduct of official business of the Court. Requirements for travel related to possible attendance at the second meeting of the Assembly of the States Parties, the meeting of the Bureau and the meeting of the Committee on Budget and Finance are not included under this heading, as they are reflected under the non-conference-servicing costs related to those meetings.

Hospitality

151. Due to the high degree of public interest that the Court is expected to generate, it is expected that some official hospitality functions (e.g., receptions) will have to be organized, particularly in connection with visits of high dignitaries. Therefore, a provision amounting to €15,000 has been included for hospitality.

D. Common Services Division

152. In order to minimize duplication and ensure maximum efficiency while observing the strict statutory division of powers between the judiciary (Presidency, Chambers and Registry) and the Office of the Prosecutor, a Common Services Division is envisaged to administer a pool of services which will be required to support both the judiciary and the Prosecutor. Such services will include, inter alia, general services, building management, finance, security, procurement, certain aspects of human resources management (e.g. training), information technology and communications infrastructure, and some aspects of conference and language services.

153. It is expected that in the first financial period of operation of the Court the Common Services Division will be heavily involved in a number of operational start-up activities, particularly matters related to internal organization and the installation of infrastructure and systems. For the purposes of the first financial period, it is anticipated that the division would be headed by a Director (D-1), who would oversee the work of general administrators and staff with experience in setting up courts. As the establishment of the Court progresses, certain functions, mainly those that are specifically court-related, would be transferred from the Common Services Division to the Office of the Prosecutor or to the Registry, as appropriate.

Table 10
Estimates by object of expenditure
(In thousands of euros)

D. Common Services Division

Expenditure		*Estimated requirements*
Posts		5 587.8
Other staff costs		305.7
Consultants and experts		45.0
Contractual services (including external translation)		851.6
General operating expenses		1 143.0
Supplies and materials		440.0
Furniture		455.2[a]
Presidency	44.0	
Divisions	57.0	
Office of the Prosecutor	178.0	
Registry	151.2	
Common Services Division	25.0	
Office automation equipment		1 091.0[b]
Presidency	31.0	
Divisions	24.0	
Office of the Prosecutor	155.0	
Registry	134.0	
Common Services Division	747.0	
Other equipment (transportation, communications, software, security, etc.)		3 236.0
Maintenance of furniture and equipment		252.0
Total		**13 407.3**

[a] This amount does not include the cost of furniture contributed by the host country.
[b] This amount does not include the cost of equipment contributed by the host country.

Table 11
Post requirements for 2003

D. Common Services Division

	Estimated requirements
Professional category and above	
ASG	-
D-2	-
D-1	1
P-5	5
P-4	13
P-3	18
P-2/1	7
Total	**44**
Other categories	
General Service (PL)	5
General Service (OL)	34
Security and Safety	20
Total	**59**
Grand total	**103**

Resource requirements

154. Requirements amounting to €13,407,300, as reflected in table 10, have been estimated for the Common Services Division for the first financial period of the Court.

Posts

155. A provision of €5,587,800 is required to cover the costs of 103 posts (44 in the Professional category and above and 59 in the General Service and related categories, including 20 security and safety posts) for 2003, as summarized in table 11, and 49 posts (25 in the Professional category and above and 24 in the General Service and related categories, including 10 security and safety posts) for the period from September to December 2002.

Other staff costs

156. An amount of €305,700 will provide for the equivalent of 270 workdays of freelance translators and interpreters, at the rate of approximately €598/day, or €161,700 (including pro-rated travel costs), and other supplementary staff (€130,000 calculated on the basis of 2 per cent of the cost of posts) that may be needed in the event of an upsurge in activities or to replace staff on sick or maternity leave, plus overtime and night differential (€14,000).

Consultants and experts

157. The requirement under this heading (€45,000) will provide for the services of experts in information technology and other technical areas.

Contractual services

158. A provision of €851,600 will be needed for the outsourcing of procurement (€382,600), security and safety training in respect of 10 officers in 2002 and 20 officers in 2003, in such areas as security management, close protection of VIPs, firearms, basic firefighting and evacuation and first aid (€80,000), external printing (€50,000), management and technical training (€20,000), information technology training (€60,000) for staff in the Registry, including the Common Services Division, and in the Office of the Prosecutor; external translation (€50,000), covering about 900 pages of less sensitive documents, external audit (€40,000), data-processing services (€157,000) and miscellaneous services (€12,000).

General operating expenses

159. The requirement of €1,143,000 will provide for: communications (€597,000), including commercial communications, such as local and long-distance charges, cellular phone charges, etc., subscription to satellite services such as Inmarsat and Intelsat, pouch and postage; maintenance of premises, including cleaning costs (€222,000); rental of equipment (€152,000); insurance, including personal property and general liability for the Court's facilities and vehicle insurance (€27,000); transportation, handling and installation of miscellaneous items (€56,000); and miscellaneous operating expenses (€89,000) to cover insurance, bank charges, eventual rental of vehicles, taxi fares, cleaning of uniforms and judges' robes, etc.

160. With regard to the premises of the Court, as indicated in paragraph 9, the host Government has expressed its commitment to provide interim accommodations, free of rent. For this purpose, the host Government is willing to spend up to €33 million, of which €10 million will be available for interior design and a fully equipped courtroom. Moreover, the host Government has undertaken to cover the cost of utilities in the first financial period of the Court. Therefore, such costs are not included in the present document. For further details, see annex V to the present document.

Supplies and materials

161. The provision of €440,000 will be required for office and photocopying supplies (€81,000), data-processing supplies (€48,000), premises maintenance supplies and materials (€15,000), audio-visual equipment and supplies (€45,000), petrol, oil and lubricants for the Court's vehicles (€23,000), library books, subscriptions, etc. (€133,000), security and safety supplies and materials (€45,000) and other miscellaneous supplies and materials (€50,000).

Furniture

162. The provision of €455,200 will be required for furniture for the Presidency and the Divisions, the Office of the Prosecutor, the Registry and the Common Services Division. Such furniture includes, inter alia, 14 safes; conference tables (1 for the Presidency and 1 for the Divisions); 31 lockable steel storage cabinets; 19 filing

cabinets; and 100 workstations. It should be noted that, additionally, the host country has committed to provide a large number of items of furniture, as listed in annex V.

Office automation equipment

163. The provision of €1,091,000 will be needed for the acquisition of 102 desktop computers and printers, 7 large heavy-duty printers, 3 scanners, 6 servers, network-active equipment, 1 OTP high-speed printer, a storage area network, 11 laptop computers and other miscellaneous office automation equipment. The additional requirements will be provided as part of the offer from the host country. For further details, see annex V to the present document.

Other equipment

164. The amount of €3,236,000 under this heading will provide for the acquisition of the following equipment: software, including document management software, administration management software, translation software and network security (€2,009,000); communications equipment (€673,000); security and safety equipment (€249,000); transportation equipment, particularly two heavy passenger cars, two light passenger cars, two transport vans and one small bus with capacity for 12 passengers (€255,000) and other miscellaneous equipment (€50,000). The host country has committed to provide the audio-visual equipment needed for the courtroom and the conference rooms.

Maintenance of furniture and equipment

165. It is estimated that an amount of €252,000 would be needed to provide for the maintenance of data-processing equipment, including support contracts for software, servers and network equipment, maintenance of communications equipment, office equipment and furniture, and miscellaneous equipment (such as security equipment).

E. Reserve for unforeseen expenses

166. As explained above, this provision is made in order to give the Court a certain degree of scalability and flexibility so it may readily react to an upsurge in activities. It has been pointed out that the possibility of a situation being referred to the Court or of an evidence preservation situation arising in the first financial period of the Court cannot be completely ruled out. Accordingly, requirements estimated at €1,052,000 are included under this heading to provide for the following additional needs, as reflected in annex IV to the present document: the Judicial Services Division's fund (€555,000, including €200,000 for a legal aid fund); travel that may become necessary for investigation purposes or for other prosecutorial activities (€138,000); information technology and communications equipment (€104,000); contractual translation of about 1,800 pages of less sensitive documents (€100,000); furniture (€80,000); language experts (€44,000); public information activities (€22,000); and external printing (€9,000).

XIX. Preliminary estimates of costs related to the meetings of the Assembly of States Parties, the meeting of the Bureau, the Inaugural Meeting of the Court and the meeting of the Committee on Budget and Finance

167. It should be noted that the costs provided herein are estimated on the basis of past experience related to similar meetings, anticipated workload and information currently available. Actual costs will be able to be determined only after the closure of the meetings, when the actual expenditures become known. It is also expected that revisions to these estimates will be made as additional information becomes available in the future. In particular, the costs and working methods of conference services as reflected in the present document will have to be reviewed in the light of the experience and ongoing reform efforts.

168. The Assembly of States Parties will convene its first meeting in September 2002, at United Nations Headquarters. Subsequently, in the course of the first financial period of the Court, it is envisaged that the following meetings will be held: a resumed/special meeting of the Assembly of States Parties in January/February 2003; the Inaugural Meeting of the Court soon after the resumed/special meeting of the Assembly of States Parties of January/February 2003; a resumed/special meeting of the Assembly of States Parties in April 2003; a meeting of the Bureau in June 2003; the first meeting of the Committee on Budget and Finance in August 2003; and the second meeting of the Assembly of States Parties in September 2003. The above schedule is tentative and subject to changes.

169. The General Assembly, in paragraph 9 of its resolution 56/85 of 12 December 2001, requested the Secretary-General of the United Nations to undertake the preparations necessary to convene, in accordance with article 112, paragraph 1, of the Rome Statute, the first meeting of the Assembly of States Parties to take place upon the entry into force of the Statute, in accordance with article 126, paragraph 1 thereof. The Assembly also decided, in paragraph 10 of the same resolution, that expenses that might accrue to the United Nations as a result of the implementation of that request, as well as expenses resulting from the provision of facilities and services for the meeting in question and any consequent follow-up shall be paid in advance to the Organization. To that effect, the Trust Fund to Support the Establishment of the International Criminal Court was established by the Secretary-General to serve as a vehicle for the collection of contributions from States and other interested entities.

170. In the process leading to the recommendation and adoption of the above-mentioned resolution, the Sixth Committee of the General Assembly had before it a note by the Secretariat concerning the financial implications of the draft resolution.[40] The note contained estimates in respect of the first meeting of the Assembly of States Parties based on two scenarios: one assuming that four meetings would be held per day, in line with the normal practice of international conferences, and the other assuming that two meetings would be held per day, following the model that the Preparatory Commission had established for itself. Subsequently, the Bureau of the Preparatory Commission requested that the estimates be revised on the basis of the assumption that two meetings would be held per day, over a period

[40] A/C.6/56/L.25.

of six days. The revised estimates amount to €2,582,200. In this context, it is noted that the inclusion of such estimates in the present document is meant to give States Parties a fuller picture of the costs associated with the holding of the meetings, without prejudice to future decisions concerning eventual arrangements that they may wish to make concerning reimbursements, the granting of credits or other similar schemes to accommodate States contributing to the funding of the first meeting of the Assembly.

171. With respect to the Inaugural Meeting of the Court, only estimates of travel costs and partial daily subsistence allowance in respect of the judges and the Prosecutor (€97,000) were included, as the host Government has committed to finance all the other costs of such a meeting.[41]

172. It is expected that, except for the Inaugural Meeting of the Court, the organization of the meetings in question would require extensive involvement of Secretariat staff. Since such meetings should not have any financial implications for the regular budget of the United Nations, States Parties should be advised that, in accordance with the terms of reference of the Trust Fund to Support the Establishment of the International Court, the United Nations shall levy a charge, at a rate of 13 per cent of expenditures for such activities, to defray administrative and other support costs (programme support costs) incurred by the United Nations in their implementation. Such programme support costs would be included in the total costs that would be borne by the States Parties.

173. The estimates contained herein comprise conference-servicing costs, non-conference-servicing costs, programme support costs and a reserve for contingency (see para. 181). Total requirements for the holding of the meetings, excluding the first meeting of the Assembly of States Parties and the portion of the Inaugural Meeting of the Court to be funded by the host Government, are estimated at €4,570,400. Furthermore, the host Government has committed to contribute a non-reimbursable amount of €300,000 to help defray the cost of the meetings.[42] The breakdown of the costs of the meetings is given in annex III to the present document.

174. States Parties should be advised that the activities associated with the preparation and holding of the meetings of the Assembly of States Parties, the meetings of the Bureau of the Assembly and the meeting of the Committee on Budget and Finance as well as those related to the first financial period of the Court should not have financial implications for the regular budget of the United Nations.

Estimated conference-servicing costs

175. The estimates of the conference-servicing costs (€2,935,200) are based on the assumption that, for all meetings, the working languages will be the six official languages of the United Nations: Arabic, Chinese, English, French, Russian and Spanish.

176. The duration and number of meetings as well as documentation requirements are assumed to be as follows:

[41] See PCNICC/2002/INF/5, para. 3.

[42] Ibid., para. 9.

- First meeting of the Assembly of States Parties (6 days, 12 meetings): 550 pages of pre-session documents, 50 pages of in-session documents and 550 pages of post-session documents;
- Resumed/Special meeting of the Assembly, January/February 2003 (5 days, 10 meetings): 600 pages of pre-session documents, 40 pages of in-session documents and 40 pages of post-session documents;
- Resumed/Special meeting of the Assembly, April 2003 (3 days, 6 meetings): 250 pages of pre-session documents, 40 pages of in-session documents and 10 pages of post-session documents;
- Second meeting of the Assembly (5 days, 10 meetings): 200 pages of pre-session documents, 50 pages of in-session documents and 200 pages of post-session documents;
- Meeting of the Bureau of the Assembly (1 day, 2 meetings): 10 pages of pre-session documents and 10 pages of post-session documents;
- Meeting of the Committee on Budget and Finance (5 days, 10 meetings): 150 pages of pre-session documents, 20 pages of in-session documents and 150 pages of post-session documents.

177. Based on the aforementioned assumptions, conference-servicing requirements, excluding requirements for the first meeting of the Assembly of States Parties, are estimated as follows:[43]

	(Thousands of euros)
Pre-session documentation	1 792.1
In-session documentation	220.4
Post-session documentation	608.8
Meeting servicing (Interpreters, conference officer, officer for documents distribution and officer for reproduction of documents)	282.7
Other requirements (e.g., sound technicians)	31.2
Travel of conference-servicing staff	-
Total	**2 935.2**

Estimated non-conference-servicing costs

178. Non-conference-servicing provisions estimated at €487,100 would be needed to cover general temporary assistance (€223,600), possible travel and daily subsistence allowance of the President of the Court, the Prosecutor and the Registrar to attend the meetings (€66,900), public information activities (€65,500), security (€21,400), common services costs (€94,900), communications (€8,900) and miscellaneous supplies and materials (€5,900).

[43] For details concerning the first meeting of the Assembly of States Parties, see table III.2 in annex III to the present document.

179. Based on the aforementioned assumptions, non-conference-servicing requirements, excluding the requirements for the first meeting of the Assembly of States Parties, are estimated as follows:[44]

	(Thousands of euros)
Temporary assistance	223.6
Travel, daily subsistence allowance and terminal expenses in respect of Secretariat staff	-
Travel, daily subsistence allowance and terminal expenses in respect of the judges, the Prosecutor and the Registrar	66.9
Public information	65.5
Security	21.4
Common services costs	94.9
Communications	8.9
Miscellaneous supplies and mat rials	5.9
Total	**487.1**

Estimated programme support costs

180. As mentioned above, programme support costs, at the rate of 13 per cent of expenditures, shall be charged to defray administrative and other costs incurred by the United Nations in connection with the convening of the meetings. Accordingly, a provision representing about 13 per cent of the conference-servicing and non-conference-servicing costs is included in the estimates. It is estimated that programme support costs, excluding those related to the first meeting of the Assembly of States Parties, would amount to €444,900.

Contingency reserve

181. In accordance with established policies and practice in the United Nations, a provision corresponding to 15 per cent of total estimated costs (including programme support costs) of the meetings should be made for a contingency reserve to cover eventual shortfalls and final expenditures. Therefore, it is estimated that, a reserve amounting to €580,100 would be needed. Requirements for the first meeting of the Assembly of States Parties are not included in these estimates.

Estimated costs of the meeting of the Board of Directors of the Victims Trust Fund

182. It is proposed that provision be made for a three-day meeting of the Board of Directors of the Victims Trust Fund to be held at The Hague in 2003. The meeting would entail business-class travel and daily subsistence allowance for the five members of the Board. The overall estimated costs are €26,100.

[44] Idem.

	(Euros)
Travel for five members of the Board	21 800
Daily subsistence allowance	4 300
Total	**26 100**

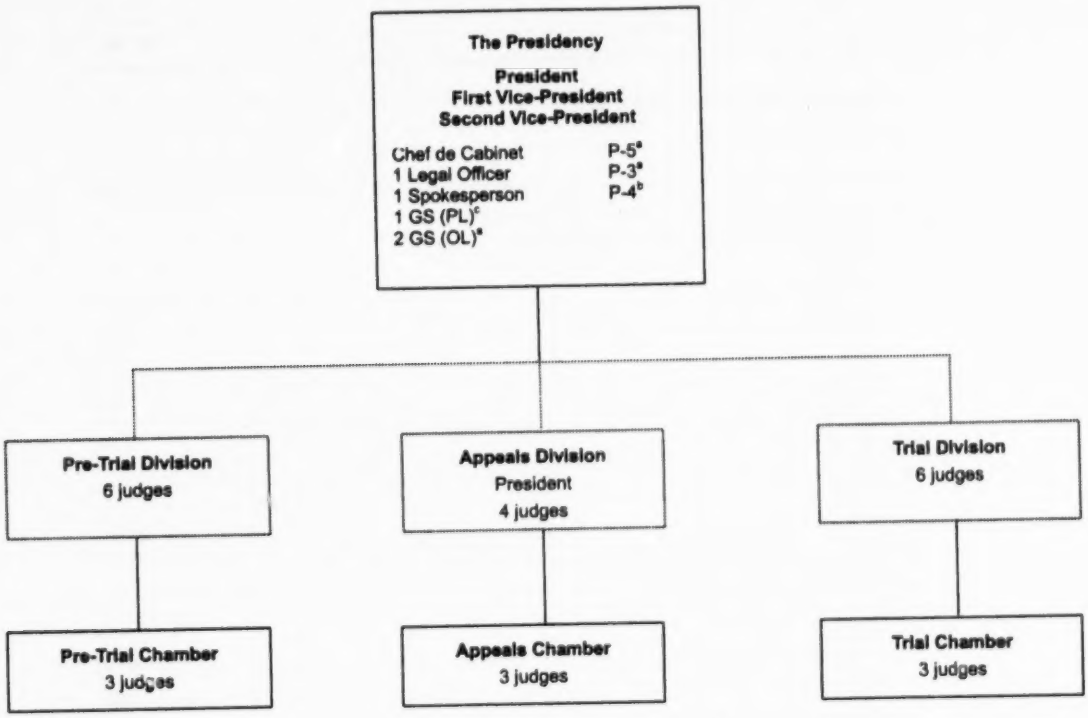
Summary of estimated costs

	(Thousands of euros)
A. Estimated costs (excluding the first meeting of the Assembly of States Parties and the Inaugural Meeting)	
Conference-servicing	2 935.2
Non-conference-servicing	487.1
Programme support (13%)	444.9
Contingency reserve (15%)	580.1
Total (A)	**4 447.3**
B. Inaugural Meeting of the Court	97.0
Total (A + B)	**4 544.3**
C. Estimated costs of the first meeting of the Assembly of States Parties	
Conference-servicing	1 766.8
Non-conference-servicing	220.3
Programme support (13%)	258.3
Contingency reserve (15%)	336.8
Total (C)	**2 582.2**
Total (A + B + C)	**7 126.5**
D. Meeting of the Board of Directors of the Victims Trust Fund	26.1
Total (A + B + C + D)	**7 152.6**
E. Contribution from host country	(300.0)
Grand total (A + B + C + D + E)	**6 852.6**

183. The cost of travel and partial daily subsistence allowance in respect of the judges and the Prosecutor to attend the Inaugural Meeting of the Court is estimated at €97,000. This cost, when added to the cost of the other meetings (excluding the first meeting of the Assembly), results in a total of €4,570,400.

184. The requirements for the first meeting of the Assembly of States Parties will be funded from the Trust Fund, but are shown here for illustrative purposes. With the inclusion of these costs, the grand total (all meetings) is estimated at €6,852,600.

Annex I.A
The Presidency



[redacted]

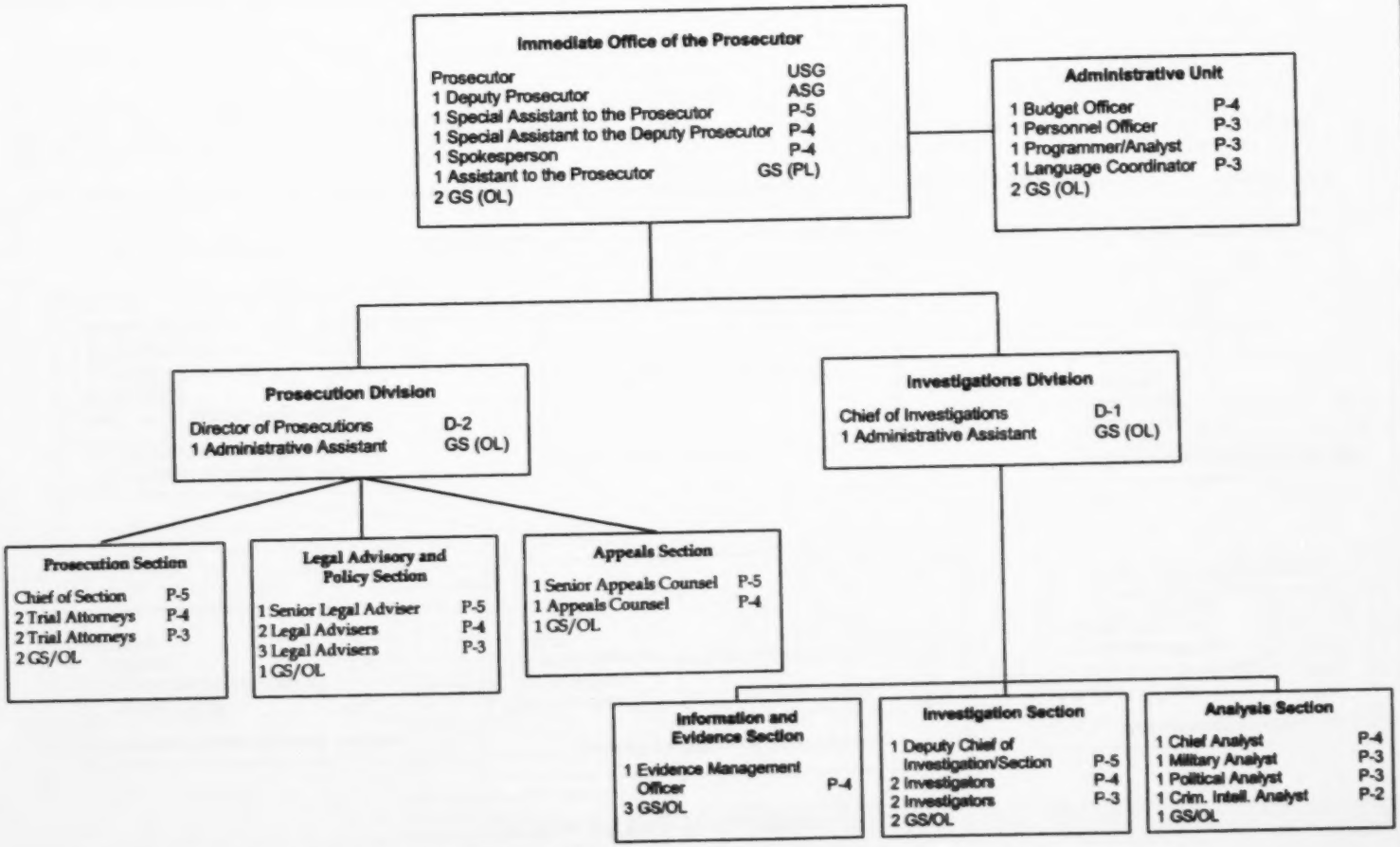
[a] These posts are shown in this annex for illustration purposes. Although they are not included in the staffing table shown in the organizational structure of the Registry (annex I.C), they are reflected in table 9 of the main document and budgeted under the Registry.

[b] The spokesperson of the Presidency serves also as the head of the Public Information and Documentation Section of the Registry. Accordingly, the post is included in the organizational structure of the Registry and the related staffing table. It is also reflected in table 9 of the main document and budgeted under the Registry.

[c] This post is shown in this annex for illustration purposes. Although it is not included in the staffing table shown in the organizational structure of the Common Services Division (annex I.D), it is reflected in table 11 of the main document and budgeted under the Common Services Division (General Services Section).

Annex I.B

Office of the Prosecutor



PCNICC/2002/2/A/d4.1

Annex I.C
The Registry

Office of the Registrar

Chambers Legal Support Section

1 Head of Section	P-5
2 Legal Research/Assistant Officers	P-3
8 GS/OL	

Immediate Office of the Registrar

The Registrar	ASG
1 Legal Officer	P-4
1 Special Assistant (w/ legal background)	P-3
1 GS/PL	
1 GS/OL	

Administrative Unit

1 Budget Officer	P-4
1 Language Coordinator	P-4
1 Personnel Officer	P-3
1 GS/OL	

Public Information and Documentation Section

1 Head of Section/Spokesperson of the Court	P-4
1 Computer Specialist	P-3
1 Information Officer	P-2
1 Media Assistant	GS/OL

Judicial Services Division

Library and Reference Section

1 Librarian	P-3
1 Archivist	P-2
1 GS/OL	

Court Management Section

1 Chief of Section	P-4
1 Legal Specialist/Court Officer	P-2
1 Filing Clerk & CRMA	GS/OL
1 Court Clerk/Usher	GS/OL

Victims and Witnesses Unit

1 Chief of Unit	P-5
1 Protection Officer	P-3
1 Operations Officer	P-3
1 GS/OL	

Victims Participation & Reparation Unit

1 Chief of Unit	P-4
1 Legal Officer	P-3
1 Associate Legal Officer	P-2

Defence Counsel Unit

1 Chief of Unit	P-4
1 Associate Legal Officer	P-2
1 GS/OL	

Detention Unit

1 Commander of Unit	P-4
1 Deputy Commander	P-2
1 GS/OL	

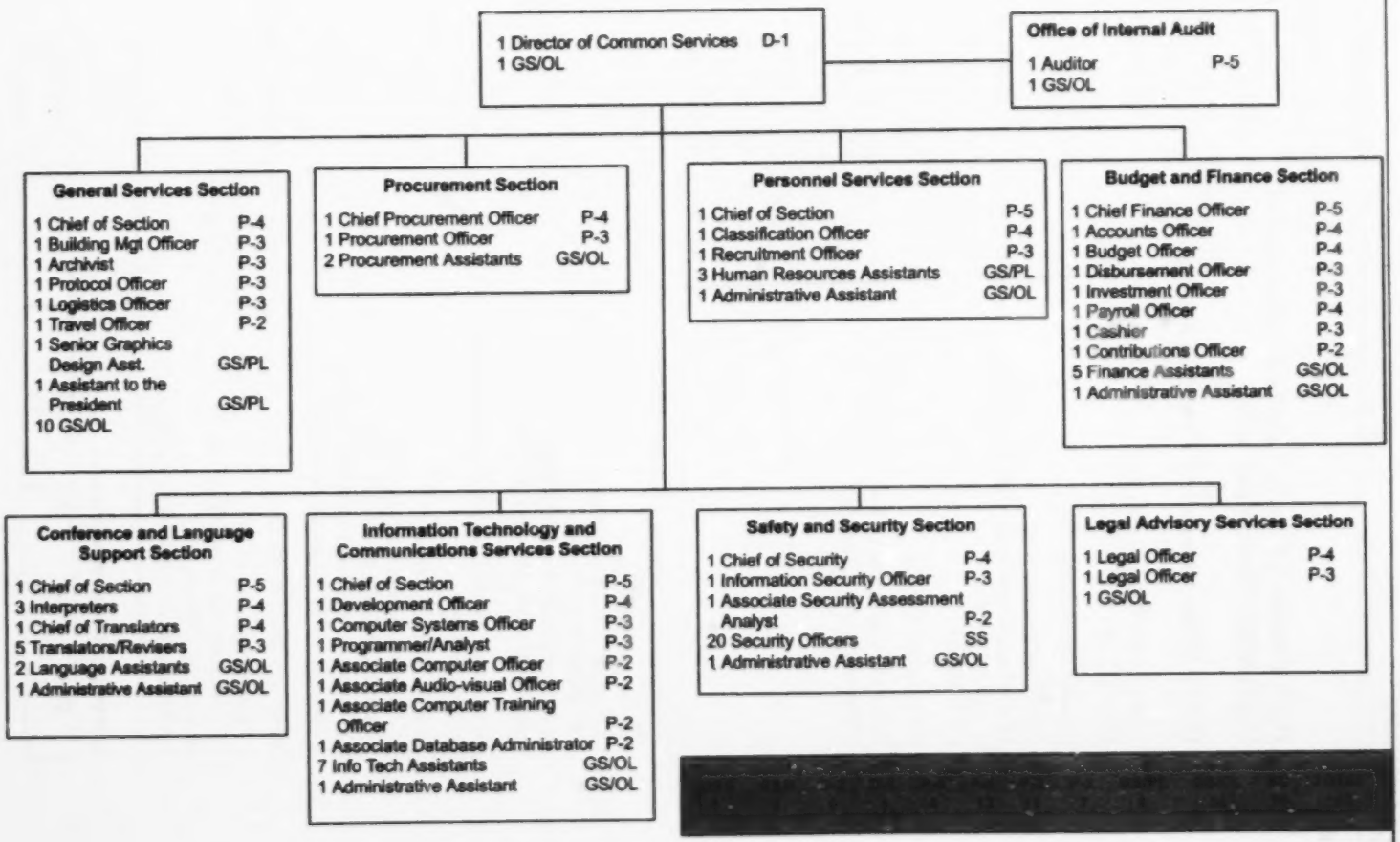
USG	ASG	D-2	D-1	P-5	P-4	P-3	P-2	GS/PL	GS/OL	SS	TOTAL*
0	1	0	0	2	3	8	6	1	17	0	44

* 4 posts assigned to the Presidency are not reflected in this table.

Annex I.D

Common Services Division

Office of the Director of Common Services


1 Director of Common Services D-1
1 GS/OL
Office of Internal Audit
1 Auditor P-5
1 GS/OL
General Services Section
1 Chief of Section P-4
1 Building Mgt Officer P-3
1 Archivist P-3
1 Protocol Officer P-3
1 Logistics Officer P-3
1 Travel Officer P-2
1 Senior Graphics Design Asst. GS/PL
1 Assistant to the President GS/PL
10 GS/OL
Procurement Section
1 Chief Procurement Officer P-4
1 Procurement Officer P-3
2 Procurement Assistants GS/OL
Personnel Services Section
1 Chief of Section P-5
1 Classification Officer P-4
1 Recruitment Officer P-3
3 Human Resources Assistants GS/PL
1 Administrative Assistant GS/OL
Budget and Finance Section
1 Chief Finance Officer P-5
1 Accounts Officer P-4
1 Budget Officer P-4
1 Disbursement Officer P-3
1 Investment Officer P-3
1 Payroll Officer P-4
1 Cashier P-3
1 Contributions Officer P-2
5 Finance Assistants GS/OL
1 Administrative Assistant GS/OL
Conference and Language Support Section
1 Chief of Section P-5
3 Interpreters P-4
1 Chief of Translators P-4
5 Translators/Revisers P-3
2 Language Assistants GS/OL
1 Administrative Assistant GS/OL
Information Technology and Communications Services Section
1 Chief of Section P-5
1 Development Officer P-4
1 Computer Systems Officer P-3
1 Programmer/Analyst P-3
1 Associate Computer Officer P-2
1 Associate Audio-visual Officer P-2
1 Associate Computer Training Officer P-2
1 Associate Database Administrator P-2
7 Info Tech Assistants GS/OL
1 Administrative Assistant GS/OL
Safety and Security Section
1 Chief of Security P-4
1 Information Security Officer P-3
1 Associate Security Assessment Analyst P-2
20 Security Officers SS
1 Administrative Assistant GS/OL
Legal Advisory Services Section
1 Legal Officer P-4
1 Legal Officer P-3
1 GS/OL

Annex II

Distribution of "core" posts for the period September-December 2002

Office of the Director of Common Services

1 Director of Common Services (D-1)
1 (GS (OL))

General Services Section

1 Chief of Section (P-4)
1 Building Management Officer (P-3)
1 Travel Officer (P-2)
3 (GS (OL))

Procurement Section

1 Chief Procurement Officer (P-4)
1 Procurement Officer (P-3)

Personnel Services Section

1 Chief of Section (P-5)
1 Recruitment Officer (P-3)
3 Human Resources Assistants (GS (PL))
1 Administrative Assistant (GS (OL))

Budget and Finance Section

1 Chief Finance Officer (P-5)
1 Accounts Officer (P-4)
1 Disbursement Officer (P-3)
1 Cashier (P-3)
1 Payroll Officer (P-3)
1 Investment Officer (P-3)
1 Contributions Officer (P-2)
1 Administrative Assistant (GS (OL))

Conference and Language Support Section

1 Chief of Section (P-5)
1 Chief of Translators (P-4)
1 Translator/Reviser (P-3)
1 Language Assistant (GS (OL))
1 Administrative Assistant (GS (OL))

Information Technology and Communications Services Section

1 Chief of Section (P-5)
1 Computer Systems Officer (P-3)
1 Associate Computer Officer (P-2)
1 Associate Database Administrator (P-2)
1 Administrative Assistant (GS (OL))

Safety and Security Section

1 Chief of Security (P-4)
1 Information Security Officer (P-3)
10 Security Officers (SS)
1 Administrative Assistant (GS (OL))

Legal Advisory Services Section

1 Legal Officer (P-4)
1 (GS (OL))

Summary of post requirements

D-1	P-5	P-4	P-3	P-2	GS (PL)	GS (OL)	SS	Tota
1	**4**	**6**	**10**	**4**	**3**	**11**	**10**	**4**

Office of the Registrar

Chambers Legal Support Section

1 Legal Research Officer (P-3)
1 (GS (OL))

Administrative Unit

1 Budget Officer (P-4)
1 Personnel Officer (P-3)
1 (GS (OL))

Public Information and Documentation Section

1 Computer Specialist (P-3)
1 Information Officer (P-2)
1 Media Assistant (GS (OL))

Court Management Section

1 Chief of Section (P-4)
1 Legal Specialist/Court Officer (P-2)

Defence Council Unit

1 Chief of Unit (P-4)

Library and Reference Section

1 Librarian (P-3)

Summary of post requirements

ASG	P-5	P-4	P-3	P-2	GS (PL)	GS (OL)	SS	Total
0	**0**	**3**	**4**	**2**	**0**	**3**	**0**	**12**

Annex III

Preliminary cost estimates for meetings

Table III.1
Cost estimates for meetings of the Assembly, Bureau meetings, the meeting of the Committee on Budget and Finance, the Inaugural Meeting of the Court and the Board of Directors of the Victims Trust Fund

Summary

(Estimates of conference-servicing and non-conference-servicing costs)

(In thousands of euros)

Meeting	
First meeting of the Assembly of States Parties to the Rome Statute	2 582.2
Resumed/Special meeting of the Assembly of States Parties (January/February 2003)	1 571.8
Resumed/Special meeting of the Assembly of States Parties (April 2003)	746.2
Second meeting of the Assembly of States Parties to the Rome Statute	1 187.7
Meeting of the Bureau of the Assembly of States Parties to the Rome Statute	96.6
Meeting of the Committee on Budget and Finance	845.0
Inaugural Meeting of the Court (Includes only the cost of travel and partial DSA for the judges and the Prosecutor)	97.0
Meeting of the Board of Directors of the Victims Trust Fund	26.1
	7 152.6

Table III.2
First meeting of the Assembly of States Parties to the Rome Statute
(Estimates of conference-servicing and non-conference-servicing costs)
(In thousands of euros)

A. Conference-servicing costs	
Meeting servicing	87.5
Pre-session documentation	798.3
In-session documentation	73.0
Post-session documentation	798.3
Other requirements (e.g., sound technicians)	9.5
Total (A)	**1 766.8**
B. Non-conference-servicing costs	
General temporary assistance (substantive and administrative)	131.1
Travel of United Nations substantive staff	0
Public information	40.9
Security	13.3
Common services costs	30.0
Communications	3.3
Miscellaneous supplies and materials	1.7
Total (B)	**220.3**
Total (A + B)	**1 987.1**
C. Programme support costs (13% of total of A + B)	258.3
Total (A + B + C)	**2 245.4**
D. Reserve for contingency (15% of total of A + B + C)	336.8
Grand total (A + B + C + D)	**2 582.2**

Table III.3

Resumed/Special meeting of the Assembly of States Parties (January/February 2003)

(Estimates of conference-servicing and non-conference-servicing costs)

(In thousands of euros)

A. Conference-servicing costs	
Meeting servicing	74.8
Pre-session documentation	888.0
In-session documentation	58.6
Post-session documentation	59.7
Other requirements (e.g., sound technicians)	8.2
Total (A)	**1 089.3**
B. Non-conference-servicing costs	
General temporary assistance (substantive and administrative)	55.5
Travel of United Nations substantive staff	-
Public information	26.2
Security	8.5
Common services costs	25.0
Communications	3.3
Miscellaneous supplies and materials	1.7
Total (B)	**120.2**
Total (A + B)	**1 209.5**
C. Programme support costs (13% of total of A + B)	157.2
Total (A + B + C)	**1 366.7**
D. Reserve for contingency (15% of total of A + B + C)	205.0
Grand total (A + B + C + D)	**1 571.8**

Table III.4
Resumed/Special meeting of the Assembly of States Parties (April 2003)
(Estimates of conference-servicing and non-conference-servicing costs)
(In thousands of euros)

A. Conference-servicing costs	
Meeting servicing	45.0
Pre-session documentation	370.0
In-session documentation	58.6
Post-session documentation	15.3
Other requirements (e.g., sound technicians)	4.9
Total (A)	**493.8**
B. Non-conference-servicing costs	
General temporary assistance (substantive and administrative)	32.9
Travel and daily subsistence allowance of the President and the Prosecutor	13.0
Public information	13.1
Security	4.3
Common services costs	15.0
Communications	1.1
Miscellaneous supplies and materials	1.1
Total (B)	**80.5**
Total (A + B)	**574.3**
C. Programme support costs (13% of total of A + B)	74.7
Total (A + B + C)	**648.9**
D. Reserve for contingency (15% of total of A + B + C)	97.3
Grand total (A + B + C + D)	**746.2**

Table III.5
Second meeting of the Assembly of States Parties
(Estimates of conference-servicing and non-conference-servicing costs)
(In thousands of euros)

A. Conference-servicing costs	
Meeting servicing	74.8
Pre-session documentation	296.3
In-session documentation	73.6
Post-session documentation	296.3
Other requirements (e.g., sound technicians)	8.2
Total (A)	**749.2**
B. Non-conference-servicing costs	
General temporary assistance (substantive and administrative)	77.8
Travel of United Nations substantive staff	-
Travel and daily subsistence allowance of the President, Prosecutor and Registrar	22.3
Public information	26.2
Security	8.5
Common services costs	25.0
Communications	3.3
Miscellaneous supplies and materials	1.7
Total (B)	**164.8**
Total (A + B)	**914.0**
C. Programme support costs (13% of total of A + B)	118.8
Total (A + B + C)	**1 032.8**
D. Reserve for contingency (15% of total of A + B + C)	154.8
Grand total (A + B + C + D)	**1 187.7**

Table III.6
Meeting of the Bureau of the Assembly of States Parties (June 2003)
(Estimates of conference-servicing and non-conference-servicing costs)
(In thousands of euros)

A. Conference-servicing costs	
Meeting servicing	14.1
Pre-session documentation	15.7
In-session documentation	-
Post-session documentation	15.7
Other requirements (e.g., sound technicians)	1.7
Total (A)	**47.1**
B. Non-conference-servicing costs	
General temporary assistance (substantive and administrative)	4.8
Travel of United Nations substantive staff	-
Travel and daily subsistence allowance of the President, Prosecutor and Registrar	16.8
Common services costs	5.0
Communications	0.3
Miscellaneous supplies and materials	0.3
Total (B)	**27.2**
Total (A + B)	**74.3**
C. Programme support costs (13% of total of A + B)	9.7
Total (A + B + C)	**84.0**
D. Reserve for contingency (15% of total of A + B + C)	12.6
Grand total (A + B + C + D)	**96.6**

Table III.7
Meeting of the Committee on Budget and Finance
(Estimates of conference-servicing and non-conference-servicing costs)
(In thousands of euros)

A. Conference-servicing costs	
Meeting servicing	73.9
Pre-session documentation	222.2
In-session documentation	29.6
Post-session documentation	221.9
Other requirements (e.g., sound technicians)	8.2
Total (A)	**555.9**
B. Non-conference-servicing costs	
General temporary assistance (substantive and administrative)	52.6
Travel and daily subsistence allowance of the Prosecutor and the Registrar	14.9
Common services costs	25.0
Communications	0.8
Miscellaneous supplies and materials	1.1
Total (B)	**94.4**
Total (A + B)	**650.3**
C. Programme support costs (13% of total of A + B)	84.5
Total (A + B + C)	**734.7**
D. Reserve for contingency (15% of total of A + B + C)	110.2
Grand total (A + B + C + D)	**845.0**

Table III.8
Detailed summary for all meetings (except the first meeting of the Assembly of States Parties and the Inaugural Meeting)
(Estimates of conference-servicing and non-conference-servicing costs)
(In thousands of euros)

A. Conference-servicing costs	
Meeting servicing	282.6
Pre-session documentation	1 792.1
In-session documentation	220.4
Post-session documentation	608.8
Other requirements (e.g., sound technicians)	31.2
Total (A)	**2 935.2**
B. Non-conference-servicing costs	
General temporary assistance (substantive and administrative)	223.6
Travel of the President, the Prosecutor and the Registrar	66.9
Public information	65.5
Security	21.4
Common services costs	94.9
Communications	8.9
Miscellaneous supplies and materials	5.9
Total (B)	**487.1**
Total (A + B)	**3 422.4**
C. Programme support costs (13% of total of A + B)	444.9
Total (A + B + C)	**3 867.3**
D. Reserve for contingency (15% of total of A + B + C)	580.1
Grand total (A + B + C + D)	**4 447.4**

Annex IV

Breakdown of provision for the reserve for unforeseen expenses

(In thousands of euros)

Office of the Prosecutor	
Travel	138.0
Subtotal	**138.0**
Registry	
Judicial Services Division's Fund	555.0
Public information activities	22.0
Subtotal	**577.0**
Common Services Division	
Language experts	44.0
Contractual translation (1,800 pages)	100.0
Equipment (IT)	84.0
Equipment (Communications)	20.0
Furniture	80.0
External printing	9.0
Subtotal	**337.0**
Total reserve for unforeseen expenses	**1 052.0**

Annex V

Host country contribution

Statement of the host Government[a]

1. The Netherlands has every intention to be a gracious and generous host to the ICC, as it is to many other legal institutions, as stated by Mr. Edmond Wellenstein, Director-General, ICC Task Force, Ministry of Foreign Affairs on 18 April 2002 (PCNICC/2002/INF/5). The Netherlands is in the top-10 list of assessed contributors, but will also contribute a considerable extra amount of money on a voluntary basis over the coming years.

2. The Netherlands will provide premises to the Court free of rent for a period of 10 years, starting at the date of entry into force of the Statute. For some years, that is to say until 2007/2008, the Court will be housed in so-called interim premises. The Netherlands offer for spending on the interim premises amounts to €33 million, €10 million of which will be available for the interior design, including the courtroom. The Netherlands is committed to having the courtroom facilities available in time for possible pre-trial hearings.

3. A smooth start of the Court will be facilitated by the provision of up to 100 workstations free of charge. Workstations include furniture, telephones, desktop computers and printers compatible with the future network systems of the Court. This also includes a limited number of scanners and photocopiers. For details see the appendix. The total available budget is maximized at €900,000.

4. The Netherlands reserves the right to donate items for workstations in kind. If items are donated in kind, 25 per cent of the concerned budget line will remain available for the Court to spend.

5. Taking into account the above, the budget, as specified in the appendix, can be spent by the Court on its own authority. The proposed allocation to budget items, within the fixed grand total of 100 workstations, is of an indicative nature. However, it is understood that major changes within and/or between budget items to the allocation for those 100 workstations should be discussed with the host country.

6. To further expedite a smooth start, the Netherlands will also cover all costs for the provision of water, electricity and natural gas to the premises during the first financial period (estimated at €165,000).

[a] This statement was received by the Secretariat on 31 May 2002 and it is included herein as submitted by the host country.

Appendix

List of furniture and equipment

Item(s)	*Number of units*	*Unit cost (€)*	*Total cost per item (€)*
Individual desks			
Bureau	100	2 000	200 000
Chairs	100	500	50 000
Roll box	100	500	50 000
Filing cabinet	50	500	25 000
Hall stand	50	100	5 000
Waste basket	100	40	4 000
Subtotal			**334 000**
Meeting rooms (5)			
Table	5	4 000	20 000
Chairs	50	500	25 000
Hall stand	5	150	750
Waste basket	5	50	250
Subtotal			**46 000**
Office automation			
Computers	100	2 000	200 000
Printer	100	700	70 000
Software (NT + Office)	100	500	50 000
Network server	4	20 000	80 000
Software network (NT + security)	4	10 000	40 000
Copiers	5	3 000	15 000
Scanners	5	2 000	10 000
Telephone system	1	50 000	50 000
Fax	5	1 000	5 000
Subtotal			**520 000**
Total			**900 000**

Annex VI

Conditions of service and compensation of the judges of the International Criminal Court

I. Full-time judges

A. Salaries

1. The annual remuneration of full-time judges will be €180,000 net.

B. Special allowance for the President

2. A special allowance will be paid at the rate of 10 per cent of the President's annual remuneration. Based on the salary above of €180,000, the special allowance will be €18,000.

C. Special allowance for the First or Second Vice-President if acting as President

3. A special allowance of €100 per day will be paid, subject to a cap of €10,000 per year, to the First or Second Vice-President if acting as President.

D. Non-salary benefits/allowances

Educational assistance

4. When the judges take up residence in the host country, they will be entitled to assistance for the education of dependants, in accordance with terms and conditions similar to those applicable to the United Nations (see administrative issuances ST/AI/2002/1; ST/AI/1999/4; ST/IC/2002/5).

Pension

5. The judges are entitled to a pension benefit similar to that applicable to Judges of the International Court of Justice. The following are the principal features:

(a) The pension scheme is non-contributory, i.e., pensions are a direct charge to the budget;

(b) A retirement pension equal to half the annual salary, at the time of retirement, is paid to a judge who has completed a full nine-year term;

(c) A proportional reduction is applied if the judge has not completed a nine-year term, provided the judge has served for at least three years, but no additional pension is paid if the judge has completed more than nine years of service;

(d) A surviving spouse receives 50 per cent of the late judge's pension. If he or she remarries, he or she will receive a final lump-sum benefit equal to twice the amount of the spouse's benefit;

(e) Pensions in payment are revised by the same percentage and at the same date as salary adjustments.

Health insurance

6. Judges will be responsible for their own health insurance.

Travel/relocation costs[a]

7. When judges take up residence in the host country, they are entitled to:

(a) A trip from his or her declared home[b] to the seat of the Court, in connection with the transfer of his or her residence;

(b) An assignment grant to cover relocation expenses, in accordance with terms and conditions identical to those applicable to the United Nations (see ST/AI/2000/17);

(c) A round trip every second calendar year after the year of appointment from the seat of the Court to his or her declared home;

(d) A trip upon termination of appointment from the seat of the Court to his or her declared home, or to any other place, provided that the cost of the trip is not greater than the cost of the trip to his or her declared home, which was established at the time of appointment;

(e) Reimbursement by the Court for the travel expenses of the spouse and/or dependent children of the judge for trips undertaken in conjunction with the above where the spouse and/or dependent children reside with the judge at the seat of the Court.

8. All travel shall be by business-class travel between the declared home and the seat of the Court by the most direct route.

II. Non-full-time judges

A. Allowances

Annual allowance

9. An annual allowance, payable monthly, of 20,000 euros.

10. In addition to an annual allowance, a judge who declares, on an annual basis to the President of the Court, that his or her net income, including the annual allowance referred to in paragraph 9 above, is less than the equivalent of 60,000 euros per annum will receive an allowance, payable monthly, to supplement his or her declared net income up to 60,000 euros.

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[a] The Rome Statute does not specifically address the issue of the residence of judges. Article 35 of the Rome Statute provides that full-time judges of the Court "shall be available to serve on that basis from the commencement of their terms of office". Moreover, article 40 provides that judges "required to serve on a full-time basis at the seat of the Court shall not engage in any other occupation of a professional nature". The question of the residence of full-time judges and their availability to serve on that basis at the seat of the Court is a matter which the Rome Statute has entrusted to the judges. Article 52 sets out the manner in which the Regulations of the Court are to be elaborated and adopted. In considering the issue of the residence of full-time judges, the judges themselves will take a decision as to whether or not residence at the seat of the Court is required for full-time service, bearing in mind the permanent character of the Court.

[b] "Home" is defined as the residence declared by the judge at the time of appointment or as modified subsequently.

Special allowance when engaged on the business of the Court

11. A special allowance of 270 euros for each day that a judge is engaged on the business of the Court, as certified by the Presidency.

Subsistence allowance

12. A subsistence allowance, at the United Nations rate in euros, applicable to judges of the International Court of Justice, for each day that a judge attends meetings of the Court.

B. Benefits

Pension

13. The judges on non-full-time status are not entitled to a pension benefit. Once they are called to serve as a full-time judge, the pension benefit provisions of a full-time judge will be applicable.

Health insurance

14. Judges will be responsible for their own health insurance.

Travel costs

15. Travel to official meetings of the Court. All travel shall be by business-class travel between the declared home and the seat of the Court by the most direct route.

Annex VII

Non-recurrent requirements for furniture and equipment for the first financial period of the Court[a]

	(1) Proposed number of units	(2) Unit cost[b] (€)	(3)=(1)x(2) Total cost (€)
1. Office furniture			
Storage cabinets, lockable, steel	31	800	24 800
Filing cabinets	19	400	7 600
Tables and conference sets	3	7 000	21 000
Heavy-duty, fire-resistant safes	14	1 200	16 800
Workstations	100	3 100	310 000
Furniture sets (offices of judges, Prosecutor, Deputy Prosecutor, Registrar)	12	5 500	66 000
Bookcases	20	150	3 000
Waste baskets	150	40	6 000
Subtotal			**455 200**
2. Office equipment			
Scanners	3	6 700	20 100
Shredders (small)	7	250	1 800
Shredders (medium-size)	2	5 700	11 400
Subtotal			**33 300**
3. EDP equipment			
Desktop computers	102	1 700	173 400
Desktop printers	102	500	51 000
Facsimile machines	9	600	5 400
Laptops	11	2 600	28 600
Storage area network equipment	1	540 000	540 000
Printers (OTP high-speed)	1	33 000	33 000
Printers (heavy-duty)	7	1 900	13 300
Network active equipment	1	111 000	111 000
Servers	6	17 000	102 000
Subtotal			**1 057 700**

	(1) Proposed number of units	(2) Unit cost[a] (€)	(3)=(1)x(2) Total cost (€)
4. Software			
Anti-virus software	102	100	10 200
MS SQL server software	4	11 000	44 000
MS-Client	50	200	10 000
MS Office	102	400	40 800
Translation software	1	111 000	111 000
Geo information software	1	11 000	11 000
Network management	4	6 000	24 000
Network security (encryption and detection)	1	167 000	167 000
Firewall software	1	5 000	5 000
Document management (e.g., TRIM Document Management System, Zylab Imaging Software)	1	666 000	666 000
Administration management software (facilities and asset management, budget, procurement, travel, accounting, human resources, etc.)	1	833 000	833 000
Miscellaneous software (e.g., auto CAD, project management, etc.)		87 000	87 000
Subtotal			**2 009 000**
5. Transportation equipment			
Vehicles, passenger (heavy)	2	55 500	111 000
Vehicles, passenger (light)	2	28 000	56 000
Vehicle, bus (12-passenger)	1	22 000	22 000
Transport vans	2	22 000	44 000
Miscellaneous transport equipment		22 000	22 000
Subtotal			**255 000**
6. Communications equipment			
Crypto telephones	4	8 900	35 600
Encryption modules	10	5 600	56 000
Portable fax machines	6	300	1 800
INMARSAT M	2	5 600	11 200
Mobile telephones (including local subscription)	50	200	10 000
PABX systems (including 250 telephones)	1	527 300	527 300
Radio (UHF base station)	2	2 800	5 600
Radio (UHF handsets)	25	300	7 500
Miscellaneous equipment		8 000	8 000
Subtotal			**663 000**

	(1) Proposed number of units	(2) Unit cost[b] (€)	(3)=(1)x(2) Total cost (€)
7. Security equipment			
Firearms	23	1 200	27 600
Ammunition	50 000		18 900
Network security software	1	38 700	38 700
Metal detectors and X-ray machines	2	55 500	111 000
Training equipment	1	27 800	27 800
Other security equipment			25 000
Subtotal			**249 000**
8. Other equipment			
Building maintenance (heavy-duty lot)			25 000
Building maintenance (technician's kit)			25 000
Subtotal			**50 000**
Total			**4 772 200**

[a] Furniture and equipment offered by the host country were not included in this annex.

[b] These standard costs must be considered as maximum costs referred to for budgeting purposes. The Court is expected to make savings in the purchase of furniture and equipment, and to report thereon to the Assembly of States Parties, through the Committee on Budget and Finance. The standard costs will be reviewed accordingly by the Committee.